THE COMMISSION OF FINE ARTS

ESTABLISHED • BY • CONGRESS • MAY • 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

202-566-1066

MEETING OF THE COMMISSION OF FINE ARTS

16 SEPTEMBER 1988

AM 10:00 CONVENE, 708 Jackson Place, N. W., Washington, D. C.

I. ADMINISTRATION

A. Approval of 28 July 1988 minutes.

B. Dates of next meetings:

27 October 1988 (Thursday)
17 November 1988 (Thursday)

C. Hearing on H.R. 3314, "To modernize United States circulating coin designs of which one reverse will have a theme of the Bicentennial of the Constitution; report.

II. SUBMISSIONS AND REVIEWS

A. American Battle Monuments Commission, (Corps of Engineers), and National Park Service

CFA 16/SEPT/88-2, Korean War Veterans Memorial. Site selection, southeast of the Lincoln Memorial between the Reflecting Pool and Independence Avenue, S. W.

B. General Services Administration

CFA 16/SEPT/88-1, Pavilion at the Old Post Office, Phase II, 1100 Pennsylvania Avenue, N. W., between the IRS and Old Post Office Buildings. Revised design. (Previous: 28 July 1988-1.)

II. SUBMISSIONS AND REVIEWS, continued 16 September 1988

C. Smithsonian Institution

CFA 16/SEPT/88-3, Child Care Center, Museum of American History, near 12th and Constitution Avenue, N. W. Proposed new facility.

D. U. S. Soldiers' and Airmen's Home, (Corps of Engineers)

CFA 16/SEPT/88-4, U. S. Soldiers' and Airmen's Home, 3700 North Capitol Street, N. W. Intermediate Care Facility. Revised design. (Previous: 19 November 87-2.)

E. District of Columbia Government, Department of Consumer and Regulatory Affairs

1. Shipstead-Luce Act

a. S.L. 88-103, 1 Massachusetts Avenue at North Capitol Street, N. W. National Guard Building. Concept for new building.

b. Appendix I.

Luncheon recess

F. District of Columbia Government

1. CFA 16/SEPT/88-5, Francis Scott Key Memorial, M Street at Key Bridge, N. W. Final design development. (Previous: 19 November 1987-3.)

2. CFA 16/SEPT/88-6, Book Hill Park lighting and fencing. Wisconsin Avenue at Reservoir Street, N. W.

G. District of Columbia Government, Department of Consumer and Regulatory Affairs

2. Old Georgetown Act

a. O.G. 88-190, -191, -192, -193, 26th and O Streets, N. W. Renovation and addition to existing 1920s apartment complex.

b. O.G. 88-223, 3015 M Street, N. W. Demolition of rear structure and design of new addition to commercial building. Permit. (Previous: O.G. 85-201.)

c. O.G. 88-221, 3632 Prospect Street, N. W. Infill and rear addition for residence. Revised design. (Previous: O.G. 88-135, 28 July 88.)

d. O.G. 88-206, 3400 K Street. Floating restaurant, sea wall, access way and wharf. Preliminary design. (Previous: O.G. 86-80.)

e. O.G. 88-149, 3100 Dumbarton Avenue, N. W. Proposed curb cut, garage, and pool. Permit.

f. Appendix II.

Discussed but not on the agenda:

Lighting in the Monumental Core: p. 18

16 September 1988 Appendix I

SHIPSTEAD-LUCE SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
S.L. 88-104	2230 Q Street, N.W. Allen Jacobs Residence	Sunroom & deck rear addition - conceptual

ACTION: No objection to concept of rear addition of sunroom and deck. Submit working drawings for review prior to issuance of permit.

S.L. 88-102	1275 Pennsylvania Ave., N.W. Pennsylvania Building Associates	Sundeck terrace at penthouse - permit

ACTION: No objection to issuance of permit for proposed sundeck terrace at penthouse level.

S.L. 88-99	2029 Allen Place, N.W. Jim Tom Haynes Residence	Roof top addition - permit

ACTION: No objection to issuance of permit for proposed roof top addition as shown in drawings received and dated 17 August 1988 which comply with previously approved concept.(See Action S.L. 88-76).

S.L. 88-97	8132 West Beach Drive, N.W. Mr. & Mrs. Harry Volz Residence	Garage alteration - permit

ACTION: No objection to issuance of permit for proposed alteration of garage into bedroom.

SHIPSTEAD-LUCE SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
S.L. 88-101	1956 Calvert Street, N.W. Aliza Adler Apartment building	Alterations, roof over stair, porch re-siding - permit

ACTION: No objection to issuance of permit for proposed alterations, including roof over stair and re-siding of porch. Recommend that new siding be painted to match the color of the brick of the building.

S.L. 88-79	8175 East Beach Drive, N.W. Gerald B. Ellsburry, Jr. Residence	New house and garage - conceptual

ACTION: Submission is returned without Action for lack of sufficient information.

S.L. 88-109	6101 Sixteenth Street, N.W. Rittenhouse Ltd. Partnership Apartment building	Fence and fountain - permit

ACTION: No objection to issuance of permit for proposed fence and fountain.

S.L. 88-106	2301 Cathedral Avenue, N.W. Cathedral Connecticut Assoc. Apartment building	Replacement of windows - permit

ACTION: No objection to issuance of permit for replacement windows provided that the existing pattern is maintained, and that the design of the existing tripartite windows is also maintained.

SHIPSTEAD-LUCE SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
S.L. 88-105	2331 Cathedral Avenue, N.W. Cathedral Connecticut Assoc. Apartment building	Replacement of windows - permit

ACTION: No objection to issuance of permit for replacement windows provided that the existing pattern is maintained, and that the design of the existing tripartite windows is also maintained.

S.L. 88-107	2915 Connecticut Avenue, N.W. Cathedral Connecticut Assoc. Apartment building	Replacement of windows - permit

ACTION: No objection to issuance of permit for replacement windows provided that the existing pattern is maintained, and that the design of the existing tripartite windows is also maintained.

S.L. 88-108	2901 Connecticut Avenue, N.W. Cathedral Connecticut Assoc. Apartment building	Replacement of windows - permit

ACTION: No objection to issuance of permit for replacement windows provided that the existing pattern is maintained, and that the design of the existing tripartite windows is also maintained.

OLD GEORGETOWN SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-173	1634 32nd Street, N.W. John Eaton Residence	Renovation and rear addition - revised concept

ACTION: No objection to Scheme A shown in supplemental drawings received and dated 23 August 1988. Recommend shifting proposed second floor circular window away from building corner. Submit working drawings for CFA review prior to issuance of permit.

O.G. 88-230	1516 29th Street, N.W. Murat & Joan Williams Residence	Renovation and addition - permit

ACTION: No objection to issuance of permit for proposed renovation and addition as shown in working drawings received and dated 22 August 1988. Submission complies with approved design concept. (See O.G. 88-54).

O.G. 88-224	1677 Wisconsin Avenue, N.W. Paul & Phyllis Taubert Commercial	Addition of bay window - conceptual

ACTION: Recommend <u>against</u> issuance of permit for proposed show window. A commercial type of window at this location and for this particular building is not appropriate.

OLD GEORGETOWN SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-204	1211 Wisconsin Avenue, N.W. Anstalt Properties The American Cafe	Window and storefront alterations - conceptual

ACTION: No objection to general concept design for proposed renovation and alteration to commercial structure as shown in drawings received and dated 15 August 1988. Recommend further study of vertical subdivisions for proposed large windows overlooking alley adjacent to Wisconsin Avenue. In addition, recommend that applicant carefully study exterior color selection as an integral element of the building as a whole.

O.G. 88-217	1525-29 Wisconsin Avenue, N.W. 1529 Wisconsin Ave. Assoc. Commercial	Alterations to building fronts and new awning - conceptual

ACTION: Recommend against issuance of permit for proposed installation of shop front in historic residential-type structure. No objection to proposed restoration of adjacent building as a separate submission.

O.G. 88-220	3139 M Street, N.W. Velasquez/Foster Commercial	New storefront - permit

ACTION: No objection to issuance of permit for proposed alterations as shown in supplemental drawings received and dated 14 September 1988.

OLD GEORGETOWN SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-215	3144 M Street, N.W. Richard Levy Georgetown Tobacco	New storefront - permit

ACTION: No objection to issuance of permit for proposed storefront alterations shown in drawing received and dated 17 August 1988.

O.G. 88-216	3223 Reservoir Street, N.W. Janice Frey Residence	New windows, doors, steps, siding and rear chimney - permit

ACTION: No objection to issuance of permit for proposed alteration of windows, doors, entrance stoop, siding and addition of rear chimney as shown in drawing received and dated 17 August 1988.

O.G. 88-194	3328 Reservoir Road, N.W. Prof. & Mrs. Sydney Freeburg Residence	Addition of sun porch over deck - conceptual

ACTION: No objection to concept of enclosed sun porch proposed for installation over existing masonry and wood deck. Recommend development of design and submission of working drawings for CFA review prior to issuance of permit.

OLD GEORGETOWN SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-225	3246 S Street, N.W. H. William Tanaka Residence	Continuation of existing garden wall and new alley gate - permit

ACTION: No objection to issuance of permit for proposed garden wall extension including new gate off alley as shown in drawings received and dated 19 August 1988. Proposed modification is compatible with work already in progress on house now under construction.

O.G. 88-218	3514 O Street, N.W. Holy Trinity Church Church Rectory	Addition and alterations - conceptual

ACTION: No objection to concept design for proposed alterations and additions as shown in drawings received and dated 17 August 1988. Design is considerably reduced and simplified from previously approved permit application (O.G. 88-07).

O.G. 88-212	3024 Cambridge Place, N.W. Douglas Horne/Amy Longsworth Residence	One story rear addition - permit

ACTION: No objection to issuance of permit for proposed one-story rear addition as shown in supplemental working drawings received and dated 29 August 1988. Recommend actual construction appear symmetrical.

OLD GEORGETOWN SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-211	3149 O Street, N.W. Ravi & Kaual Gulhati Residence	Roof-top addition - permit

ACTION: No objection to issuance of permit for proposed roof-top addition as shown in working drawings received and dated 17 August 1988. Drawings comply with previously approved concept design. (See O.G. 88-138).

O.G. 88-222	2720 Dumbarton Street, N.W. George G. Herrick Residence	New roof structure - permit

ACTION: No objection to issuance of permit for proposed roof-top light monitor as shown in working drawings received and dated 17 August 1988. Drawings comply with previously approved concept design. (See O.G. 88-136).

O.G. 88-209	2805 P Street, N.W. Edwin Williamson Residence	New pool, wall and alterations - permit

ACTION: No objection to issuance of permit for proposed alterations, including garden wall and parking area off alley, as shown in working drawings received and dated 17 August 1988. Drawings comply with previously approved concept design. (See O.G. 88-181).

OLD GEORGETOWN SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-174	3223 K Street, N.W. River Club Restaurant	Canopy - (appeal) - permit

ACTION: Recommend <u>against</u> issuance of permit for this type of canopy. Recommend study of designs for a glass canopy the width and depth of the existing steps beginning at the building line.

O.G. 88-177	1048 Wisconsin Avenue, N.W. American Indian Handcrafts Commercial	Awning - permit

ACTION: No objection to issuance of permit for awning shown in corrected drawings received and dated 29 June 1988. Note: corrections shown in red were agreed to by applicant.

O.G. 88-189	1048 Wisconsin Avenue, N.W. American Indian Handcrafts Commercial	Sign - permit

ACTION: No objection to issuance of permit for proposed sign which is to be mounted flush with building wall at the north end of the first floor facing Wisconsin Avenue. Note: location indicated in red agreed to by applicant.

O.G. 88-214	3200 M Street, N.W. Katherine Eckert Anastasia Restaurant	Awnings - permit

ACTION: No objection to issuance of permit for new lettering and covering of existing awnings approved by CFA (See O.G. 86-42). The color for the new vinylized cotton material will be Sandstone, No. 6939, manufactured by Caladana Cloth. Note: lettering will appear only on the entrance awning.

OLD GEORGETOWN SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-208	1238 31st Street, N.W. Fifth Church of Christ, Scientist	Sign - permit

ACTION: No objection to issuance of permit for proposed lettering in frieze panel over entrance door.

O.G. 88-197	1042 Wisconsin Avenue, N.W. 1042 Wisconsin Ave. Ltd. Partnership McHuang's China Cafe	Wood sign - permit

ACTION: No objection to issuance of permit for overdoor wood sign no wider than the existing masonry opening.

O.G. 88-198	1659 Wisconsin Avenue, N.W. Margaret McElliot Georgetown Nursery School	Frontyard wood fence - permit

ACTION: Recommend <u>against</u> issuance of permit for wood fence at this location. Recommend applying for an iron fence similiar to neighboring property.

O.G. 88-199	1667 34th Street, N.W. Brian Holland Residence	Frontyard iron fence - permit

ACTION: Recommend <u>against</u> issuance of permit for lack of adequate information. No objection to concept of iron picket fence at this location. Drawings must show actual proposed height of fence in relation to the existing brick curb, the manner in which the fence will be treated in relation to the curve of the brick of the adjacent party wall, and the design and installation of the gate, if any.

OLD GEORGETOWN SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-130	1660 33rd Street, N.W. Richard Naing Business/office	Window replacement, aluminum siding - permit

ACTION: Submission returned without Action for lack of sufficient information.

O.G. 87-211	2715 Q Street, N.W. National Society of Colonial Dames Headquarters	Addition - concept development

ACTION: Submission returned without Action. Request resubmission as further studies are developed.

O.G. 88-182	1305 Potomac Street, N.W. 301 Fifty Associates Apartments	Vinyl window replacement - permit

ACTION: No objection to issuance of permit for replacement of windows with "one over one" sash, provided that clear glass is used.

O.G. 88-226	1421 34th Street, N.W. William Mazer Residence	Rear addition - permit

ACTION: The rear addition is not visible from public space, and is therefore referred to the Historic Preservation Office for review.

OLD GEORGETOWN SUBMISSIONS

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-205	3254 N Street, N.W. Arthur Heimbold Residence	Door replacement in-kind - permit

ACTION: No objection to issuance of permit for proposed replacement in-kind of front door.

O.G. 88-207	1310 35th Street, N.W. Pierre La Force Residence	Fence replacement in-kind - permit

ACTION: No objection to issuance of permit for proposed fence replacement in-kind.

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman

CAROLYN J. DEAVER
ROY M. GOODMAN
FREDERICK E. HART
NEIL H. PORTERFIELD
PASCAL REGAN
DIANE WOLF

CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
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MEETING OF THE COMMISSION OF FINE ARTS

16 September 1988

The meeting was convened at 10:40 a.m. in the Commission of Fine Arts offices at 708 Jackson Place, N. W., Washington, D. C., after a tour of project sites.

Members present:	Hon. J. Carter Brown, Chairman Hon. Roy M. Goodman Hon. Diane Wolf
Staff present:	Mr. Charles H. Atherton, Secretary Mr. Donald B. Myer, Assistant Secretary Mr. Jeffrey R. Carson Mrs. Sue Kohler Mr. Jose Martinez-Canino
National Capital Planning Commission staff present:	Mr. Patrick Tribe

The Chairman noted, after convening the meeting, that the Commission did not have a quorum. He said that in the rare instances that this had occurred since he had been chairman, the applicants had been asked if they wished to proceed anyway and get an informal reaction from those present, who would present their findings to the full Commission for ratification at the next meeting. He said this had generally been considered helpful in moving the projects along. The meeting agenda was then addressed.

I. ADMINISTRATION

A. Minutes of the 28 July 1988 meeting: approved.

B. Dates of next meetings: approved by those present as:

27 October 1988 (Thursday)
17 November 1988 (Thursday)

The Secretary noted that a November meeting might not be required.

C. Hearing on H.R. 3314, "To modernize United States circulating coin designs of which one reverse will have a theme of the Bicentennial of the Constitution"; report.

Before the report on the hearing was given, Miss Wolf asked to comment on the problem of lighting in the monumental core of Washington, a subject that had been discussed at the July meeting in relation to the Washington Monument lighting inspection report. At that time Miss Wolf had asked that the staff investigate the situation, arrange a meeting of agencies involved, and report to the Commission in October. She said she had attended a party on the terrace of the west front of the Capitol and thought that a perfect vantage point from which to discuss lighting. She said the architect of the Capitol had indicated that he would like to attend such a meeting, and she said that she, too, would like to be included. The Chairman said he thought any member of the Commission who so wished should be included.

Miss Wolf then said that for the record she would like to commend Mr. Porterfield for making a special trip to Washington to give the Commission's testimony at the hearing on coin design changes. She said she had attended, and although there had been some hostile questioning, the Senate had responded the same day by passing an amended version of the companion bill, S. 1776, by unanimous consent. The Senate had passed the original bill earlier this year.

Staff member Sue Kohler then reported that she and the Secretary had also attended the hearing. She said Mr. Porterfield's testimony would be appended as an exhibit to the minutes of this meeting, as would the transcript of that portion of the hearing covering the testimony of the other federal witnesses. Exhibits A, A-1

II. SUBMISSIONS AND REVIEWS

A. American Battle Monuments Commission (Corp of Engineers). and National Park Service.

CFA 16/SEP/88-2, Korean War Veterans Memorial. Site selection, southeast of the Lincoln Memorial between the Reflecting Pool and Independence Avenue, S. W. Mrs. Kohler first reviewed the legislative history of this project. She said that Public Law 99-572, which became effective in October 1986, authorized the erection of a memorial on federal land in the District of Columbia honoring members of the American armed forces who had served in the Korean War, particularly those who had been killed, were missing, or taken prisoner. The American Battle Monuments Commission was given authority to erect the memorial in compliance with the Commemorative Works Act of 1986, and with private funds, although $500,000 was appropriated for site preparation, design and planning, and another $500,000 for construction documents. She

said that in 1987 the secretary of the interior had determined that the memorial was of major historical significance, and in compliance with the Commemorative Works Act, had recommended to the Congress that a site be selected in Area I, essentially the Mall area of the capital. After Congressional approval had been obtained, the Advisory Board for the memorial, created by the original legislation, had approached the National Capital Memorial Commission with several site possibilities. In June 1988 the Commission recommended a site (seen by the members during their pre-meeting tour) southeast of the Lincoln Memorial, in an area known as Ash Woods, directly opposite the Vietnam Veterans Memorial. Although there was at first some concern about the proximity of the Park Service stables to the east and vendors' stands to the west, Mrs. Kohler said the staff understood that these problems had been worked out with the Park Service to the satisfaction of the Korean War Memorial Advisory Board. Before introducing those who would make the presentation, Mrs. Kohler added that the Battle Monuments Commission had asked the Army Corps of Engineers to be the design and construction agent for the memorial, and she noted that the design would be selected through a competition.

Colonel Frederick Badger from the Battle Monuments Commission was then introduced. He said that General Stillwell, chairman of the Korean War Memorial Advisory Board, had expressed the board's reservations about the site to the Park Service, these reservations including the proximity of the stables and vendors, as well as requesting that the site be enlarged somewhat to provide access from the Lincoln Memorial. He said the Park Service had responded by agreeing to landscape the stables so they would not be seen from the memorial area, and to move the food concessions to another area. It was also agreed that the site could be enlarged, but with the restriction that the new area be limited to walks and landscaping, and possibly signs or a kiosk. Of the total site area of 7.5 acres, the actual memorial could occupy only 2 acres. Colonel Badger said the Park Service had imposed other restrictions: there could be no walk-in structure; domed or roofed structures would be discouraged; no structure, including the one flagpole allowed, could be higher that 40 feet; no rose gardens would be approved, because of high maintenance; there could be no donors' names on the memorial; and parking would not be permitted on the site. Colonel Badger said that lighting to facilitate nighttime visitation would be acceptable. He said the board members felt they could work with these restrictions and were prepared to initiate the design competition. He added that NCPC had approved the site with the request that those involved work with them, and with the Commission of Fine Arts and the National Capital Memorial Commission, in developing the design criteria for the competition.

The members questioned Colonel Badger about the kind of competition the advisory board had in mind. He said it would be

entirely open - any American citizen over 18 years of age, amateur or professional, could enter. He said that by law the jury would be the Korean War Veterans Advisory Board, although they would have a panel of professional advisors to aid them in making their decision. The Chairman asked if the National Endowment for the Arts would help with funding, and guide the competition as they had with the Vietnam Veterans Memorial. Colonel Badger said he was not sure just how this would work, but he knew that the NEA's design competition guidelines and rules had been followed thus far. He said the competition would be announced 30 January 1989; the deadline for submissions would be 1 May 1989. There would be no payment for entries, but there would be a number of prizes: The first place winner would receive $20,000 in cash and, providing the design was accepted by the advisory commissions involved, would work as an advisor to the architect-engineer firm hired by the Corps of Engineers. The second place award would be $10,000, third place, $5,000; up to 15 honorable mentions would each receive an award of $1,000.

Miss Wolf asked if a landscape solution would be required. Colonel Badger said that was not a requirement, that any of the major art forms, or combinations of them, could be used. Miss Wolf then recalled the recent proposal to add a statue of a woman to the Vietnam Veterans Memorial and said she hoped the Korean War Memorial would clearly honor all members of the armed forces who served so that there would be no question of an addition in the future. Colonel Badger said that was the intent according to the legislation.

The site was then discussed, with the Chairman telling Colonel Badger that he thought it was an excellent one; he did not think the stables would impinge on it visually, and he was happy to hear that the concessions would be moved; he said they had been an impingement on the entire area. He noted the contrast between this wooded area and the meadow-like character of the Vietnam Veterans Memorial site; he said he hoped the designer would be sensitive to the site he had been given and not remove the trees to make it look more like the Vietnam Memorial. Colonel Badger agreed; he said the competition material would include a drawing showing every tree and its size. Senator Goodman questioned Colonel Badger about a notation on a drawing that said "lighting may invade night view to Lincoln Memorial." Colonel Badger said that was a concern, and he realized that the lighting would have to be very carefully designed. The members present all commended Colonel Badger on the work done thus far and indicated their approval of the site, with the Chairman noting that this approval would be presented to the full Commission for ratification.

Park Service representative John Parsons asked when full approval could be expected. The Chairman said that strictly speaking, it could not be expected until the next Commission meeting, but he thought that for practical purposes it could be

stated that the Commission had reacted favorably to the site selection. He said this was especially true in this case because the landscape member, Mr. Porterfield, had reviewed the material two days previously and expressed his approval. He did not see a problem in going ahead with a press release announcing the competition. Exhibit B

B. General Services Administration

CFA 16/SEP/88-1, Pavilion at the Old Post Office, Phase II, 1100 Pennsylvania Avenue, N.W., between the IRS and Old Post Office buildings. Revised design. (Previous: 28 July 1988-1) Staff member Jose Martinez recalled the Commission's concern, during the previous presentation, about the mass of the new structure, how it would be viewed from 11th Street, and the way it negated the free-standing nature of the Old Post Office building. He said the new design showed a smaller building, confined essentially to the IRS courtyard, and while still maintaining a connection, pulled back considerably from the old building. He showed both old and new drawings and noted the model submitted by the architect. Mr. Martinez introduced Jack Finberg from GSA, who said they had been working with the architect and owner for 18 months and were very pleased with the progress that had been made. He then introduced the architect, Jerry Karn, from Karn, Charuhas, Chapman & Twohey to make the presentation.

Mr. Karn compared both old and new schemes, pointing out that while the first design came within 11 feet of the old building, the new one was pulled back to 38 feet and was also considerably lower and therefore less conspicuous. He said pedestrian access from the south had been improved by eliminating some of the parking in that area and changing the service arrangements slightly. He pointed out a wall and a grouping of trees that separated and defined the pedestrian access. In answer to a question from Miss Wolf, he said the new pavilion would be used primarily for increased retail space, but would also contain additional food operations and a theatre. David Blair, representing the operator of the Pavilion, was introduced to answer Miss Wolf's question about the propriety of adding more retail space when the existing shops were not doing well. He said that with the current 50,000 square feet of retail space, the project was too small to generate a profit when fixed costs were considered, or to attract a significant number of people on a continuing basis. He said he hoped to obtain a better tenant mix with Phase II in order to appeal to residents of the area as well as tourists. Miss Wolf said she thought the market might have already been saturated by nearby shops, and she questioned, too, the appropriateness of more commercialism in an area that historically was intended to have landscaped open spaces. Mr. Karn said that although they had not received a formal statement on the revised scheme from the Advisory Council or the local Historic Preservation Officer, he thought the reaction had been favorable. He commented on the objective of bringing more life and animation

to the Federal Triangle, saying that it would be a difficult thing to accomplish in most of the buildings. He said that every square foot of office space was needed, the physical form of the buildings with their massive walls and small windows did not lend itself to use as a commercial space, and the security concerns precluded extensive public use. He thought the Old Post Office the most appropriate of the buildings to use for this purpose, but said it needed something to attract people inside, and he thought the new glass pavilion would do that.

The Chairman said he hoped the people in charge of the theatre programming would keep in mind the educational aspect of giving the tourists some perception of the urban design parameters of their capital city, especially since they will be in the midst of so many significant buildings and sites. He also hoped that the structure of the pavilion could be kept as light as possible, recalling I.M. Pei's recent glass pyramid at the Louvre.

Miss Wolf asked about the roof terrace shown on the model. Mr. Karn said it would not be a public park but would be used by the IRS for receptions and other planned events.

The Chairman then took the opportunity to ask Mr. Finberg from GSA about the status of finishing off the ends of the IRS building. Mr. Finberg said that NCPC had approved the final design concept and he hoped that congressional approval would be given soon. He said they would like to do it at the same time the pavilion was being constructed. Mr. Karn said that as part of his Phase II project, mechanical cooling capable of taking care of both the new pavilion and the entire Old Post Office building would be installed, and as the cooling towers would be larger than normal, he was hoping that they might be placed in the roof area at the end of the IRS building rather than on the roof of the pavilion; it would be very convenient to do this if funds came through for finishing off the ends of the building. In closing, Mr. Finberg announced that GSA and PADC had come up with a lighting plan for Pennsylvania Avenue and would be happy to work with the Commission on this project.

The Chairman told Mr. Finberg that the members present would recommend approval of the revised Phase II design to the full Commission.

C. Smithsonian Institution

CFA 16/SEP/88-3, Child Care Center, Museum of American History, near 12th and Constitution Avenue, N.W. Proposed new facility. Staff member Jeffrey Carson said that the Chairman and Miss Wolf had seen the site on their pre-meeting tour and would recall that it was screened from the Mall by a 20 foot embankment. He added that Mr. Porterfield had looked at the drawings and approved the location, but had not reacted favorably to the

playground equipment; he objected to the use of specific forms and bright, multi-color paint. He said he would prefer simple, abstract shapes made of wood. Mr. Carson introduced Phillip Reiss from the Smithsonian to answer questions. The Chairman said he was concerned about the use of chain link fence and asked if it would be screened. Mr. Reiss said it would, and in answer to a question from Senator Goodman said that a good-sized, fast-growing material would be used. Peggy Berkshire, also from the Smithsonian, asked to comment on the choice of playground equipment. She said that wood equipment had been disappointing because of splintering and poor weathering and was not geared to the motor skills of the very young children who would be using this playground. She said the metal equipment was long lasting and could be easily hosed down and cleaned. Her assistant noted that they would not be ordering the multi-colored version, but rather a monocromatic natural color finish. The Chairman said he was still bothered by the chain link fence; he asked about another style shown in the playground equipment brochure. Mr. Reiss said they would investigate it and report back; with this assurance those present agreed to recommend approval to the full Commission.

D. U.S. Soldiers' and Airmen's Home (Corps of Engineers)

CFA 16/SEP/88-4, U.S. Soldiers' and Airmen's Home, 3700 North Capitol Street, N.W. Intermediate Care Facility. Revised design. (Previous: 19 November 87-2.) Mr. Martinez recalled that the members had toured the site before the first presentation in November 1987, and after reviewing the proposed design had been concerned about the demolition of the La Garde and Mess Hall buildings, the placing of the new dining room almost underground, and the curved, sunken terrace which would form one end of the otherwise rectangular courtyard. Questions had been asked about the status of the demolition request, in terms of the necessary approvals of the agencies involved, and discussion had been deferred until these questions had been answered. Mr. Martinez said there had been some minor changes, mostly involving a change in facade design, since November, but the preservation issues were still pending. He said the Advisory Council had suggested further study of reusing all or part of the existing structures, or perhaps erecting the new building on a separate site so that the existing complex could be kept.

Mr. Joseph Woo from the Soldiers' and Airmen's Home was introduced. He said they had been in consultation with the Advisory Council and the D.C. Historic Preservation Review Board for the past ten months and the latter organization had approved the demolition of the buildings in question. He noted that another courtyard building, the Forwood Building, would be restored. He said that twenty-one schemes had been presented by the Advisory Council. The members asked for a clarification of the location of the various courtyard buildings. This was provided by a representative of the architects, Smith, Hinchman & Grylls, who

CFA 16 Sept. 88 - 4
Soldiers' Home, New care facility
Concept

Future Skilled Care Unit
Occupational Therapy
Parking
Shop
Art Display
Access to Clinic Services
Porch
Phyaical Therepy
Barber Shop
Post Office
Gift Shop
Resident Activity Mall
Porch
Dining Terrace Below
Main Entrance
Lobby
Elev.
Bridge
Formal Court
Nature Path to North Campus
Entry Garden
Banking Services
Fast Food
Dining Terrace Below
Library
T.V. Room
Resident Activity Mall
Porch
Porch
Social Services
Parking
Recreational Therapy
Recreational Therapy Court
Chapel
Covered Gazebo
Vista of Washington D.C.

CFA 16 Sept. 88 - 4
Soldiers' Home, New care facility
Concept

also said that the owner felt that all alternative possibilities had been studied, and they intended to proceed with the first phase of construction, which was to demolish the La Garde building and erect the Intermediate Care Facility in its place. The architect further described the functions of the new facility -- a building of 220,000 square feet versus 25,000 for the one now existing -- and explained the difficulties of moving the dining hall to an upper floor, as the Commission had requested. He said that removing an essentially underground facility to a higher level would increase the mass of an already large building, and it would be difficult to intergrate it with the kitchen facilities, which would be underground. He said the dining room would have an attractive courtyard outside and would not be a substandard space. He noted also the revisions to the courtyard space, making it more formal, and the change in architectural detailing of the new building, so that it would have a more Georgian feeling. He said these changes had made the project acceptable to the D.C. Historic Preservation Review Board. Mr. Woo said he felt the requirements of the Section 106 process (of the Historic Preservation Act) had been satisfied, and they intended to go ahead and construct the new building. The Chairman said the full Commission of Fine Arts would first have to give its advice on the project, and he asked if NCPC had made a decision; he was told that they would be reviewing it the following week. Lacking a quorum, the Chairman said there was not much the Commission could do at this point, especially since there were so many conflicting issues. He said he knew some of the members felt more strongly than he did about the demolition; he recognized the need for a larger structure on the north and saw the difficulties in adapting the older buildings for current usage; he thought the greatest loss would be the middle building in the complex. Miss Wolf was most disturbed by the prospective loss of the La Garde building and the fact that the revised design still showed the dining room below grade. Action was deferred until the next full Commission meeting.

E. District of Columbia Government, Department of Consumer and Regulatory Affairs.

1. Shipstead-Luce Act

a. S.L. 88-103, 1 Massachusetts Avenue at North Capitol Street, N.W. National Guard Building. Concept for new building. The Assistant Secretary recalled the members' site inspection before the meeting. He said the existing building (ca. 1960) would be demolished, an action that was not reviewable under the Shipstead-Luce Act. The new building, which would come under Commission review, would be 87-90 feet high and would house the National Guard offices as well as provide commercial office space with a separate entrance on Massachusetts Avenue. He noted that the west and north walls would be blank, and that they would be highly visible from those directions until possible future construction concealed them. He also pointed out the proximity of

the City Post Office, Union Station, and the site to the east of the station soon to be built on by the Architect of the Capitol.

The architect, Alex Jeffries, was then introduced. After introducing representatives from the National Guard and the developer, he showed drawings and described the proposed new building. The eight story structure would have a curved entrance at the corner of Massachusetts Avenue and North Capitol Street, opening into a gallery for display of National Guard memorabilia. It would be constructed of limestone and compatible in style with the Post Office across from it.

The Chairman was concerned that, because of a difference in the springline of the cornices, the new building seemed higher than the City Post Office. He thought that if the high rusticated podium were lowered somewhat, and the cornice springline brought down, the building would relate better to Burnham's landmark building. He also thought the curved corner element setbacks were too busy. He thought some simplification would help the overall effect without diminishing the memorial aspect of the building. Miss Wolf agreed with the Chairman's comments, and it was suggested to Mr. Jeffries that further studies be brought to the full Commission for review at the next meeting.

b. Appendix I. The Chairman said the members would be polled on the approval of the appendix.

Item not on the printed agenda:

District of Columbia Government, Department of Housing and Urban Development, CFA 16/SEP/88-7, Washington Design Center, 3rd and C Streets, S.W. Addition to existing building, revised design. (Previous: 28 July 1988-6). Mr. Carson recalled that at the previous meeting, the Commission had asked for further study of the facade, to avoid the dissonant symmetry created by the design as presented. He introduced architect David Condon, of Keyes, Condon and Florance, to discuss the additional schemes that had been developed since that time.

Mr. Condon said he understood that the Commission was particularly concerned about the D Street facade. He said that after considering many alternatives, they thought that emphasizing the corner at 3rd and D would be the best way to break up the facade. He showed drawings from various angles and noted that the long facade (560 feet) would never be seen straight on. He said the old entrance would remain, but there would be an additional one on 3rd Street.

The Chairman said that during the site inspection he had realized that 4th Street was actually the most important street from an urban design point of view, and he thought that using something glassy there, on the old warehouse section of the

building, would break the symmetrical effect and make the modern construction the dominant element. He compared it to the "layering" seen in Europe, where old buildings have been modified and added onto throughout the centuries in different architectural styles.

Mr. Condon thought this idea would be worth exploring; he also showed the members a detail of the proposed corner treatment at 3rd Street and several rough sketches of alternate treatments. There was some discussion of changes to the arched brick base that runs around the entire building, but Miss Wolf thought it might be best to leave that alone rather than risk making it too fussy.

Before the members adjourned for lunch, Miss Wolf brought up the appearance of two fast-food signs in the Shipstead-Luce area, on Massachusetts Avenue across from the National Guard building. Mr. Carson said he had already received several complaints about them and would write a letter to the city inspector.

(The meeting was adjourned for lunch at 12:25 p.m. and reconvened 1:00 p.m. the same day)

F. District of Columbia Government

1. CFA 16/SEP/88-5, Francis Scott Key Memorial, M Street at Key Bridge, N.W. Final design development. (Previous: 19 November 1987-3.)

Before proceeding with a discussion of this project, the Chairman noted again, for the benefit of those who may not have attended the morning session, that the Commission did not have a quorum, and could do no more than give applicants a sense of whether their projects would move ahead or not, with ratification having to wait until the next full Commission meeting. The Assistant Secretary added that the project at 3632 Prospect Street had been withdrawn because of the lack of quorum.

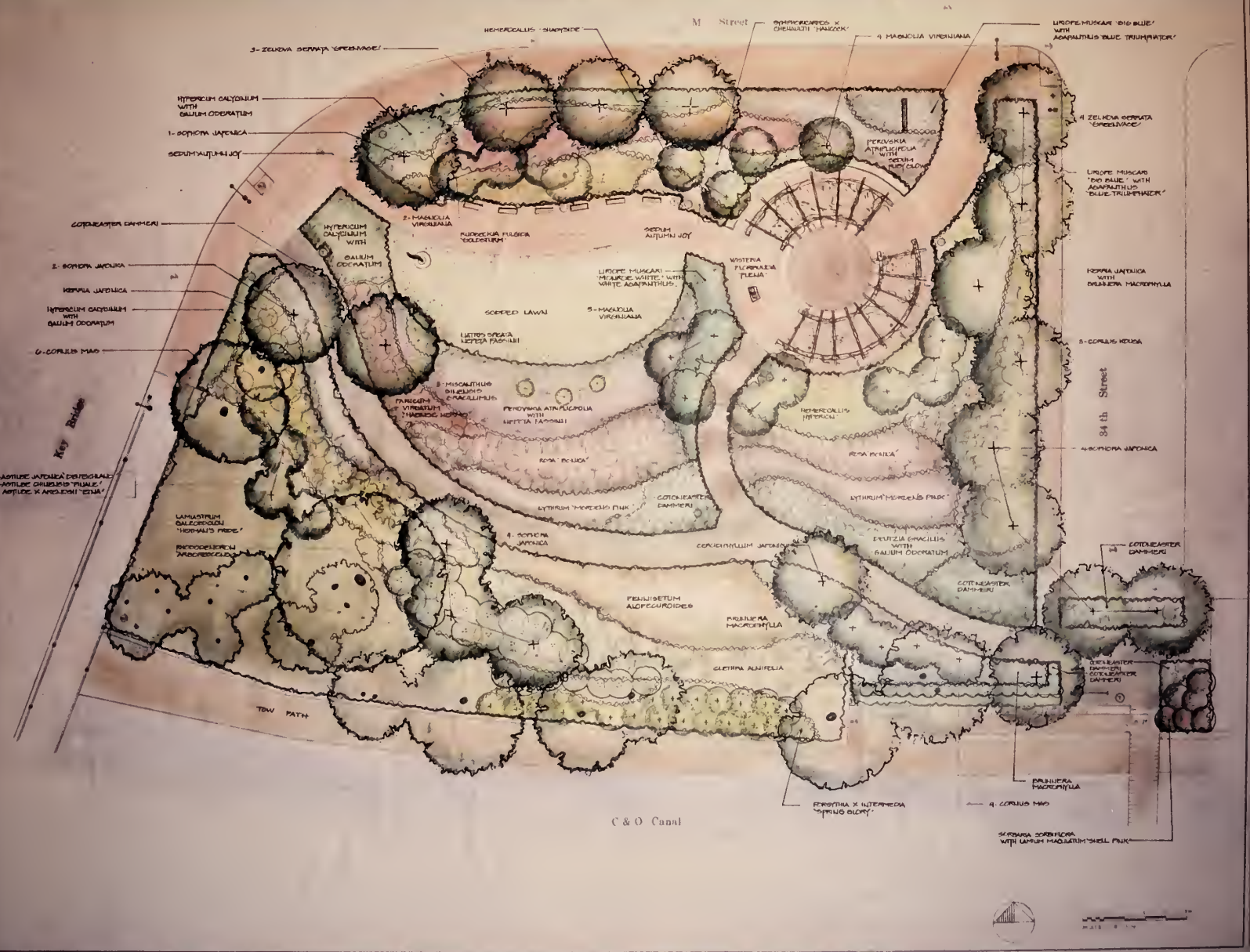
Mr. Carson said that the design development drawings for the Francis Scott Key Park had addressed the questions raised at the last presentation, but he noted that the staff still had a problem with design of the base for the sculpture, which was slightly larger in diameter than the bust itself; he thought a smaller one, such as the one shown in a photograph, would provide a better relationship. Paul Imse, secretary of the Key Foundation, was then introduced. He said this would be a phased project, partly for financial reasons, and partly because he wanted the basic elements in place by September 1989, the 175th anniversary of the composition of the Star Spangled Banner. He also pointed out that the Canal overlook, seen previously on the drawings, had been removed because new construction nearby would block the view. He introduced Sandra Clinton, from Oehme/vanSweden, landscape architects, to discuss the final design, plant material, and the

phased construction.

Ms. Clinton said there would be a mock-up of the sculpture base on the site as soon as the construction materials for the new building nearby had been removed. She pointed out on a drawing the basic elements of the park: the circular brick and brownstone paved area with a seating wall and arbor, the bust of Key, and a flagpole; and the remaining park area with its brick path system; one of the paths would connect with the asphalt bike path that runs along the towpath. She said the flagpole would be 40 feet high, with a flag 6 by 10 feet. She noted that the bronze bust of Key was the work of sculptor Betty Dunstan. She showed the lettering for the limestone park entry sign, to be placed near M Street. Ms. Clinton said the arbor columns would be made of limestone with a wood structure above for wisteria vines. The arbor would create an enclosure, draw attention to the sculpture, and to the openness of the rest of the site. The seating wall would be brick and brownstone with limestone coping, and the steps within the path system brick and brownstone. She said there would be three interpretive signs within the park; one with the stanzas of the Star Spangled Banner, the second depicting the composition of the anthem, and the third concerned with Key's contributions to the District. The signs, benches, bike racks, etc. would all be standard Park Service design. Scaled-down Washington street lights would be used throughout the park.

Ms. Clinton described the planting material, with a theme of the American meadow as it might have existed outside the Key home in the early 1800s. The plants in the area of public use would be showy and hardy, with a seasonal interest. There would also be a lawn for sitting. On the lower area, existing trees would be retained and the additional planting would be of a low maintenance type; lamia would be planted as a groundcover. Street trees around the park would be zelkovas.

Turning to the sculpture base, Ms. Clinton said the Commission had suggested using something other than the oval shape shown, and so they had gone to a rectangular form, making it a little larger than the sculpture because the original base had seemed too precarious. She said they would be happy to show the members a mock-up as soon as possible. In answer to a question, she said the pedestal was 4 feet 2 inches; the total height with the sculpture would be 6 feet 6 inches. The phasing of the project was then discussed. Ms. Clinton said Phase I would include everything except the arbor. Mr. Imse added that the structural foundations for the columns would be included in Phase I. The presentation ended with Ms. Clinton showing the members material samples and explaining the pattern and the manner in which the brick and stone would be laid, without mortar joints.



Oehme, van Sweden & Associates, Inc.

FRANCIS SCOTT KEY MEMORIAL PARK
34th and M Streets, NW
Washington, DC

Planning Plan

L8

CFA 16 Sept. 88 - 5
Francis Scott Key Memorial
(Georgetown at Key Bridge)

2. CFA 16/SEP/88-6, Book Hill Park lighting and fencing. Wisconsin Avenue at Reservoir Street, N.W. Mr. Martinez pointed out the location of the park behind the public library in Georgetown. He said the fence would be black vinyl-clad chain link, to replace the existing, and there would be twelve security lights suspended from tree branches, east of the existing steps. Mr. Martinez noted that the improvements would be funded by a neighbor. He said the Georgetown Board had discussed the project and had no objections.

Ted Pochter, from the District Recreation Department, was introduced to discuss the project further. He said they had been approached by the Friends of the Georgetown Library about the project and were very pleased with the offer to help, as Book Park had been a problem for some time; there was a need for lighting and the fence was badly rusted. He said they were working on an agreement with the public library to pay for the service for the low-voltage, photoactive cell lights. The District government would maintain the cells and transformer. There was a discussion of the lights and how and where they would be placed in the trees, with Miss Wolf suggesting that they be placed close to the trunks so that they did not look like nests hanging from the trees.

G. District of Columbia Governments, Department of Consumer and Regulatory Affairs.

2. Old Georgetown Act

a. O.G. 88-190, -191, -192, -193, 26th and O Streets, N.W. Renovation and addition to existing 1920s apartment complex. Mr. Martinez first noted that the members had visited the site on 28 July 1988, and then said the owner was requesting the renovation and remodeling of a 1920s apartment into townhouses; part of the remodeling would involve the addition of a third floor. He said the Georgetown Board had visited the site and seen two versions of the design, but still did not think the additional third floor was appropriate; it would alter the character of the buildings and eliminate the view of the trees behind them.

The architect, Phillip Speck of Kress/Cox Associates, was then asked to review his proposals. He said they planned to convert the sixteen apartments to eight townhouses, add a third story with dormers that would match the height of the adjacent townhouses, elongate the first floor windows, and add entrances as necessary. There would be a large-scale bay addition on 26th Street to balance the Jerusalem Baptist Church at the north end of the block. He said the roof addition had been cut back in size from the original version and did not extend as far back. He thought it actually reinforced the character of O Street and helped anchor the corner at 26th.

Isabelle Shannon, representing the ANC, reported that her group had opposed the roof addition and she thought the church felt the same way. The objections were that it would infill open space and take light and air from the townhouses to the west. Mr. Speck said the plans had been modified to avoid that. Paul Opalack, a neighbor on O Street, said the neighbors were opposed to the addition because it would change the character of the block.

J. Richards Andrews, a member of the Georgetown Board, explained the board's position. He said he understood the rationale of trying to strengthen the corner but didn't think it would really work very well, and by adding a third story the view of the trees within the project would be lost.

Kathleen Graff, president of the Citizens' Association of Georgetown, expressed her organization's opposition to the addition of a third story, especially because 26th Street was one of the gateways to Georgetown, and the two story setting was an important introduction to the character of the historic district. Alicia Boyd, representing the Foundation for the Preservation of Historic Georgetown, said the foundation strongly supported the Georgetown Board's position.

The Chairman told Mr. Speck that while he could not speak for the absent members, he thought it unlikely they would overrule the Georgetown Board in the face of so much community opposition.

Exhibit C

b. 3015 M Street, N.W. Demoliton of rear structure and design of new addition to commercial building. The Assistant Secretary said this proposal included renovation of an existing early 19th century three story and basement commercial structure, demolition of a recently built rear structure, and construction of a rear wing that would substantially fill the whole garden area. He said the Georgetown Board had a negative reaction to the demolition involved, and while they were happy to look at the proposed new construction, did not want to comment on it until the demolition question had been answered. Mr. Myer said the Commission had looked at a similiar proposal in 1985, and at that time felt that the existing structure contributed to the mews-like character of the alley and allowed one to look through and see the various layers of the architectural history of Georgetown. He noted that the D.C. Historic Preservation Office had determined that the small structure did contribute to the historic district, so there was a chance that there would be a public hearing on the demolition question.

The architect, Seyed Mostashari, was asked to describe his proposals. He said a three story and basement addition was planned, consisting of store, office space and parking, with an apartment on the third floor. He thought the brick building, with

windows and other architectural details similar to those in the area, would be more responsive to Georgetown than the recent building now on the site.

Mr. Andrews was asked to give his views. He said that photographs could not convey the uniqueness of the space nor the sense of history provided by the glimpses of the rear facades of the buildings, less carefully planned and maintained than the fronts, but strongly evocative of the history of the town, from its beginnings through recent history.

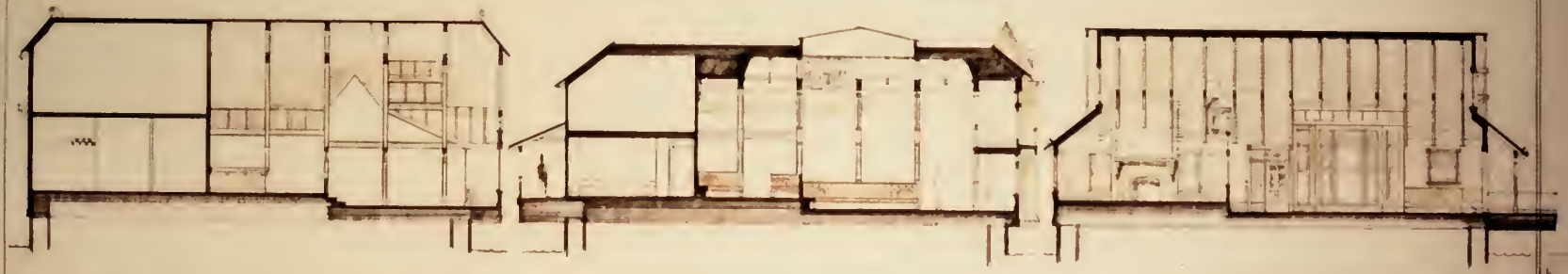
The Chairman said that given the kind of values that were at stake, and the testimony from Mr. Andrews, it would be difficult to convince the Commission to overrrule the Georgetown Board in this case. Mrs. Shannon asked if the proposal would be coming back before the full Commission; she said the architect had been invited to testify at the next ANC meeting, which would be before the next Commission meeting. The Chairman said he thought it probably would come back at some time. Exhibit C

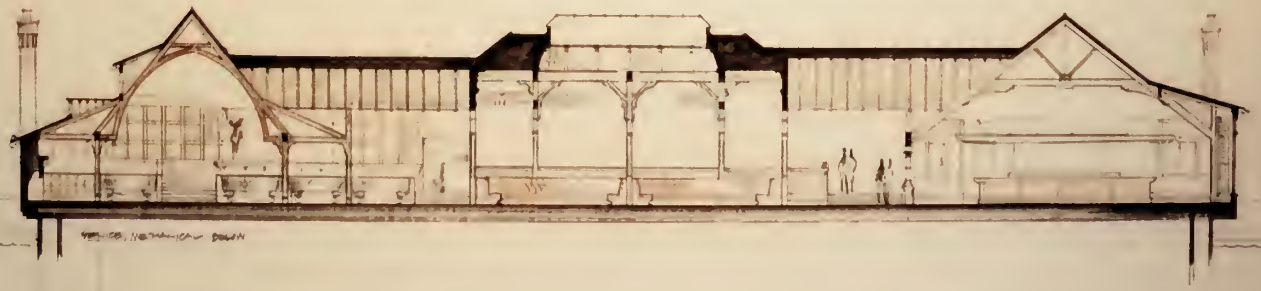
c. O.G. 88-221, 3632 Prospect Street, N.W. Withdrawn because of the lack of quorum.

d. O.G. 88-206, 3400 K Street, Floating restaurant, sea wall, access way and wharf. Preliminary design. (Previous: O.G. 86-80). The Assistant Secretary called the members' attention to the large model of the project, and they went over it to hear the architect, J. Richards Andrews, discuss his design. He recalled that the project had been coming to the Commission in various forms for the past two years, and then described the 400 foot long riverfront site, east of Key Bridge, between 34th and 35th Streets. He said he had worked with the Park Service on various aspects of the project and then discussed the developement of the site. He pointed out the path system that would connect the restaurant with the city streets and then continue along the river. He noted the concrete seawall to the east of the project and then the change to a more natural terrain along the river in the vicinity of the restaurant. He said the landscaping on the site would consist of weeping willows, redbud and dogwood near the river, with taller trees, perhaps red oak and pine, on the north side of the path towards Water Street.

The restaurant would be erected on a floating barge, about 60 by 164 feet, moored 16 feet from the river's edge. At the east and west ends would be public wharves, requested by the Park Service and the District government. Mr. Andrews said that in severe storms the wharves would probably be expendable. He described the way in which the barge would be moored; with triangular steel sections to the east and west to deflect the current around the barge; a series of six piles, 18 feet high and 3 feet in diameter, to the north; and a double thickness on the south side of the barge itself to withstand the ice.

O.G. 88 - 206
3400 K Street, N.W. Clyde's floating restaurant, concept





O.G. 88 - 206
3400 K Street, N.W. Clyde's floating restaurant, concept

The restaurant would be approached from the north through a gatehouse on the land. Mr. Andrews described the flexible, underground utilities connections which could be disconnected quickly in the event of a severe storm; he also detailed the means of bringing in supplies through a tunnel and of disposing of the compacted trash in trucks which would be scheduled to arrive at off hours.

The restaurant would seat 252 people. Temporarily, parking for 86 cars would be provided by the District in an area convenient to the restaurant, and additional space would always be available in nearby parking garages. When the District's use of the land under the Whitehurst Freeway as a staging area for construction ceased and the land was turned over to the Park Service, a permanent parking lot in that area would be constructed.

Mr. Andrews then discussed the architectural features of the restaurant, describing it as three Victorian boathouses tied together. The exterior material would be cedar shingles stained a light, transparent green. Shingles would also be used for the roof, with some copper trim, and small lights would be strung along the ridge and the two end pavilions. The height of the structure would be 32 feet, plus 6 feet for the barge; because of the height of the sea wall, the building would appear much lower when seen from the north.

Miss Wolf asked some questions about the appearance of the north facade. The Chairman said he was enthusiastic about the design and the amenities the project would bring to the waterfront. He read a letter from the Citizens Association of Georgetown commending the architect, and he asked if there were any other comments from the community. There was some question among those citizens present as to whether the ANC had formally approved the project, although it was noted that it had been received favorably. Mr. Carson said he had received a call that morning from the secretary of the ANC reporting that it had been approved. Exhibit C

e. O.G. 88-149, 3100 Dumbarton Avenue, N.W. Proposed curb cut, garage, and pool. Permit. The Assistant Secretary said the Georgetown Board had reviewed this on 2 June, and was transmitting a recommendation to the Commission that was negative in some aspects. He said the proposal involved extensive renovation to an early 19th century house at the corner of Dumbarton and 31st Street, a garage on the other side of the wall, and a swimming pool that would take the major part of the garden. He noted the board's report, the presence of Mr. Andrews, and then introduced Steven Diehl, the attorney for the owners, Dumbarton Street Associates, a limited partnership. Mr. Diehl said the proposal before the Commission was the addition of a below grade garage, 21 by 11 feet, and a swimming pool in the rear of the property. He said he would offer the testimony of two professionals, beginning with Carolyn Brown, an architectural historian with the law firm of Wilkes,

Artis, Hedrick & Lane. The second witness would be architect Klaus Klatt, the designer of the project.

Ms. Brown reviewed the history of the house, saying that it was a fine example of the Federal style, built in 1810. Over the years there had been many alterations, including an 1870s addition on Dumbarton Street, done in the Federal style. In the 1930s there were additional alterations: the garden wall in question and a garage to the west of the property. In the late 1950s the house was broken up into five apartments and numerous alterations made. She said it had now been returned to a single family dwelling and its Federal appearance restored. She said the owners would like to return a garage to the property, and the proposal was to use one of the bays of the brick wall and turn it into an entrance to an underground garage. The only change from the street would be that the brick plane would be changed to a wood garage door. She noted that there were several garages directly across the street on 31st. Ms. Brown said that no open space would be eliminated.

The architect, Klaus Klatt, described the proposal in more detail. He pointed out the terraced rear yard with a swimming pool, sauna and pumphouse and described the appearance of the garage entrance on 31st Street: there would be a depressed granite curbing, herringbone brick at the sidewalk location, and a horizontal slat wood garage door. He also noted that the north wall of the adjacent house on 31st Street was blank, so there would be no infringement on the residents by any of the proposed garden development. Potted trees on the terrace on the garden side of the wall would replace the foliage now seen from the street.

The Chairman asked for comments from the community. Mrs. Shannon, representing the ANC, said that the ANC considered all curb cuts a detriment to Georgetown, noting that cars were invariably parked over the sidewalk rather than in the garage, or an additional car was parked on the sidewalk. Kathleen Graff, representing the Citizens Association, asked if this was just a business venture, or were the residents known? Mr. Diehl said it was a business venture. Mrs. Graff said it was her opinion that the addition of a garage was not to meet the parking needs of a prospective buyer but just to reap the maximum profit on the sale; whether that benefited the community or not she would leave unanswered.

The Chairman said the proliferation of curb cuts in Georgetown had led the Commission to feel that the line had to be drawn, and while this case might have more merit than others, it was not sufficient for the Commission to overrule its board and go against the strong feelings of the community. Lacking a quorum, however, he said he could not give the owners a definitive answer. Exhibit C

f. Appendix II. Several people had comments to make about items on the appendix. They were:

O.G. 88-133, 1634 32nd Street, N.W. Joan Dann. Ms. Dann said she lived next door to the property in question, and while the proposed rear addition would block a living room door and a bedroom window of her house, it was not this she wanted to complain about initially, but the deterioration of the property in the past five years; she said the overgrown yard and broken windows and doors made it not only an eyesore but a menace; she said she had been robbed three times during this period. She said she understood that the owner no longer intended to live in Georgetown and was just holding the property waiting for it to appreciate in value. She asked that the Commission withhold approval until the design was modified so that it did not cut off the neighbors' light and air, and when approved, make the permit contingent on beginning construction within 45 days. She said the city had responded to her complaints by cleaning up the yard, but that had not been enough. The Chairman thanked her for her information, asked her to submit it in writing, and said it would be made part of the material submitted for the final deliberation on the addition.

O.G. 88-225, 3246 S Street, N.W. John Sheehan. Mr. Sheehan said he owned an easement across the Tanaka property to get to his garage, and he wanted to protest the gate that was to be constructed there as making it dangerous for his wife when she returned at night and had to get out of her car and unlock the gate to get in the garage. He said it was not true, as Mrs. Tanaka claimed, that she needed the locked gate for her own personal security . Mr. Sheehan then said that he and several of the neighbors wanted to protest the approval of the "starkly contemporary" residence as not in keeping with the historic district. He asked that the model be impounded, as it appeared to him and others that what was constructed was much more massive than the model showed. He added that he and other neighbors intended to retain counsel to determine their rights under various statutes, including the one that created the Commission of Fine Arts.

O.G. 88-209, 2805 P Street, N.W. Robert Bell. Architect Bell said he was appearing at the request of his client, who wished to defer to the request of a neighbor and take out a small section of wall on the east side of the house (not visible from public space) appearing on the approved drawings. He submitted the request in writing and Mr. Myer said he would take care of it. Mr. Bell then brought up the question of approval of the swimming pool and a door and window on the east side of the house in an areaway. He said his clients, who were staying in rented quarters, hoped to have approval at this meeting so that construction would not be held up any longer. In view of the lack of a quorum, he asked if there was any way this could be expedited. The Secretary said the pool was definitely not visible from public space, and a site inspection by the staff had determined that the window and door were not, either. In this case, the Chairman thought it would be safe to say that Mr. Bell could proceed with his work.

Discussion of Lighting in the Monumental Core

Miss Wolf said she would like to talk about the lighting study that had been proposed at the previous meeting. She said she thought it important that it be carried out now, while the Washington Monument and Federal Triangle lighting was being reviewed. She said she had written a letter to the members with this request, and would like to ask the staff what progress had been made and when the meeting with the various agencies involved would take place.

The Secretary said that he had not received a copy of her letter to the members, and that he had not planned a meeting. He thought the first step was for the staff to go out and look at the buildings and streets in the monumental core, take photographs and identify problems, and then take the Commission members over the same route (Capitol terrace, Old Post Office Tower, Lincoln Memorial, etc.) and see if they had the same reactions. Then, after the problems were identified, individual agencies could be contacted. He noted that there were a good many private buildings in the area that the Commission had no control over. He said he and the assistant secretary had already contacted every agency involved and been assured of cooperation with the Commission's effort.

Miss Wolf thought this would be a good way to get started, but she asked that it be followed by a meeting of the key players and the development of a master plan. When this was in place, smaller agencies and private owners could be approached. It was agreed that the study should go forward as discussed.

The meeting was adjourned at 3:15 p.m.

EXHIBIT A

Statement of

Neil H. Porterfield

Vice Chairman, Commission of Fine Arts

Before the Committee on Banking, Finance and Urban Affairs
Subcommittee on Consumer Affairs and Coinage

H.R. 3314

September 14, 1988

Good morning. The Commission of Fine Arts welcomes this opportunity to comment on H.R. 3314 which authorizes the changing of our circulating coin designs.

It has been a long time since we have had a major change in the designs of our coins. With the exception of the 1976 reverses marking the Bicentennial of the American Revolution, the only other circulating coin to have been changed in recent history is the Kennedy half dollar which was introduced nearly twenty-five years ago.

The reverse of the cent was last changed in 1959, when the Lincoln Memorial was placed on the reverse. The Roosevelt dime dates from 1946, and the nickel has not been changed since 1938.

From its earliest beginning to this very moment our nation has prospered through innovation and change. If our coin designs are a reflection of the values of our society, then it is appropriate to move forward with the proposed legislation. In April 1987 the Commission unanimously adopted a resolution calling upon the Congress and the Secretary of the Treasury to embark upon a program to bring new coin designs to the American public. We feel each generation ought to be able to contribute to our national cultural heritage, a concept that I am sure firmly underlay the 25-year time frame of the current law governing coin change.

The time is overdue for this generation.

Therefore we are particularly pleased with the Senate's passage of a bill identical to yours and strongly urge the House do likewise. It's a good bill.

It provides for change of the reverse designs, while at the same time keeping the continuity of the present subjects of the obverse, although as I understand the legislation, new renderings of the presidential portraits can be considered.

The Commission of Fine Arts, under law, advises the Secretary of the Treasury and Congress as to the merits of coin redesign. The Commission has judged designs for all of the coins now in circulation, with the exception of the obverse of the cent, which predated the Commission's birth by one year. We look forward to the opportunity to advise the Secretary on the upcoming designs as well.

We are happy to note that the bill provides for consultation with the Commission of Fine Arts. However, we are concerned with the use of the word "upon" on line 24. We would like the Secretary's decision to come <u>after</u> consulting with us rather than <u>upon</u> consulting with us. The dictionary definition of "upon" carries the meaning of "immediately". The Commission would prefer the clearer word "after", and so recommends.

Mr. Chairman, as many of us already know, much of the drive for this present initiative has come from one of the members of our Commission, Diane Wolf. She is the author of the Commission's resolution recommending that the designs be changed. She has devoted an enormous amount of time and energy to this cause. Commissioner Wolf has stimulated national interest in a whole range of design issues involving coins and medals. Without the strong coalition of support she has garnered, I am sure we would not be here testifying today.

Thank you.

EXHIBIT A-1

TRANSCRIPT OF PROCEEDINGS

HOUSE OF REPRESENTATIVES

* * *

Subcommittee on Consumer Affairs and Coinage,

of the

COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS

* * *

HEARING ON H.R. 3314, LEGISLATION TO

CHANGE THE DESIGNS OF UNITED STATES COINAGE

* * *

RECEIVED
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HEARING ON H.R. 3314, LEGISLATION TO CHANGE THE DESIGNS OF UNITED STATES COINAGE

Wednesday, September 14, 1988

House of Representatives,

Committee on Banking, Finance and Urban Affairs,

Subcommittee on Consumer Affairs and Coinage,

Washington, D.C.

The subcommittee met, pursuant to notice, at 10:10 a.m., in Room 2128, Rayburn House Office Building, Hon. Frank Annunzio, chairman of the subcommittee, presiding.

Present: Representatives Gonzalez, Hiler, Pelosi.

Mr. *Annunzio.* The subcommittee will come to order.

This morning, we will hear testimony on H.R. 3314, legislation which would require the redesign of all our Nation's circulating coins over a six-year period. I am completely opposed to this legislation and would ordinarily not have held a hearing on it. Out of esteem for my good friend and colleague of many years, serving together in the Congress, Mr. Rangel, I promised that I would hold a hearing on this bill. So this morning, I am fulfilling the promise that I made in March of this year to Mr. Rangel.

I had hoped to be able to have these hearings earlier in the year. The schedule of the Banking Committee has been extraordinarily heavy this year, as the committee wrestles with legislation which could restructure our Nation's financial structure for the first time in half a century. If that were not enough to occupy the attention of the Banking Committee members, we are facing a most serious problem in the case of the savings and loan industry. While most members of that industry are healthy and profitable, others located primarily in the Southwest are insolvent and are creating a severe strain on the resources of the Federal Home Loan Bank Board. These matters have absorbed much time and effort in this session of Congress.

Given the importance of these two areas, I would have

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preferred not to have burdened the members of the subcommittee with an additional Banking Committee hearing with so little time left in this session. I realize my colleagues on the subcommittee have more urgent and pressing legislation to consider. Nevertheless, I made a commitment to hold these hearings, and I am fulfilling that commitment.

Changing our Nation's coin designs is one of the great non-issues of this Congress. A small handful of design change advocates have been clamoring for something the American people do not want. At this hearing, we will hear how 93 percent of coin collectors who replied to a survey in the coinage newspaper, "Numismatic News," want to see coins redesigned. The results are not surprising. Coin collectors, like most collectors, want to have new things to collect. It is that desire that has led to the success of the commemorative coin programs that this subcommittee has adopted over the past six years.

But most Americans are not coin collectors. Most Americans are very conservative when it comes to our Nation's coinage. It is this conservative streak that led to the failure of the Susan B. Anthony dollar coin. Americans liked using one dollar bills and did not want to change. Circulation figures showed that they tried the dollar coin briefly and then returned to the old and familiar, tried and true dollar bill.

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The Treasury Department recognized this conservatism while considering anti-counterfeit deterrents for paper currency. The Treasury considered three-dimensional holograms, changing the color of our notes, and other suggestions that would have greatly changed the appearance of our currency. In 1985, Robert Leuver, who will testify today on behalf of the American Numismatic Association, was Director of the Bureau of Engraving and Printing. At subcommittee hearings that year, he provided a list of what a note would look like if he designed it from scratch.

His wish list for a new note included paper with diffraction gratings, a security thread, and a tactile or embossed device. He wanted to move the portrait from the center of the note to the side and add a watermark facing the portrait. He discussed the use of Arabic denominations near the portrait and complex color designs. He suggested the use of optical variable devices like holograms and front and back registration in color.

When it came time for Treasury to choose from this long list of items--and I did not include everything that he mentioned at the hearing--all were rejected save one: the security thread. Better than any of our witnesses today, Mr. Leuver knows just how conservative the American people are when it comes to money. Changes in our money make Americans very, very uneasy.

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I wanted to know what the American people thought about this idea of changing coin designs. I had a newsletter going out to every household in my own congressional district in Chicago. So I decided to give the people I represent a chance to tell me what they thought of this issue. Accompanying the survey was an article entitled "Should Our Nation's Coin Designs Be Changed?" The article presented my views in opposition to changing designs, but it also included the arguments made by the proponents of coin design change. I pointed out that the proponents think our current designs are "old and dull." I noted that some want to remove "In God We Trust" from United States coins. I pointed out that the proponents of design changes claim that change could generate up to $2.3 billion in new revenue.

This survey asked two questions. I asked people to check which of the following statements they agreed with most strongly:

First, we should change coin designs even if it costs more money to do so.

Second, we should change coin designs if it will clearly reduce the deficit.

Third, we should not change coin designs at all.

Only one percent favored change at any cost. Five percent said we should change coin designs if it will reduce the deficit. Ninety-four percent said we should not change

coin designs at all. That is right, 94 percent of those responding to my survey do not want any change in our coin designs. They even voted against change even if it would be a revenue raiser. When it came to changing our coin designs, they said to leave them alone.

I challenge other members of the Congress in their newsletters to put this box that I had in my newsletter. You will find out what your constituents think about it.

The second question asked people which, if any presidential coin portraits should be changed. Again, 94 percent said none should be changed. Of the rest of the responses, six percent would change Kennedy's portrait, four percent would change Roosevelt's, two percent would change Jefferson's, and less than one percent would change Washington's or Lincoln's portraits.

My survey confirms what the Treasury concluded three years ago about currency designs. Americans do not want the Government to mess around with their coins and currency. They are telling us to "just say no."

We have plenty of serious issues confronting us that need our attention. We have a trade imbalance; we have a budget deficit; we have a drought; we have a drug epidemic; we have homeless people; we have an education crisis; we have a polluted environment. On a scale of importance from one to ten, coin design change rates a zero.

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Well, what about deficit reduction? Proponents of coin design changes claim that this is a revenue raising measure. What about the billions of dollars in revenues that are projected by some? Is Congress irresponsible by not changing designs if it will raise revenues?

I do not believe it will raise revenues. I have expounded on my reasons for this on the floor of the House on more than one occasion. Simply put, there is no correlation between changes in design and changes in demand for coins. History shows, as proponents of design changes admit, that the introduction of a new design is sometimes followed by a decline in demand. Why would demand decline if new designs supposedly increase demand?

The reason is simple. Demand for coins has nothing to do with the design of the coins.

Do not take my word for that. The Mint spend $100,000 for a private firm to develop an up-to-date, state-of-the-art computer model to forecast coin demand. The developers of that model studied all of the factors related to coin demand. They studied historical data and economic trends. They tested for causations and correlations. For all I know, they may have even studied the effect of sunspots on coin demand. Sunspot activity and the phases of the moon did not get into the final model, and neither did coin design changes.

But what if the model is faulty? What if changes in

coin designs might increase revenues? Isn't Congress being irresponsible by not acting?

If that is the case, then it is the Treasury Department and the Reagan Administration that is being irresponsible. The Treasury Secretary already has the authority to change our Nation's coin designs, period. One hundred years ago, Congress gave the Secretary this authority. Read my lips: There is no need for Congress to act. Congress cannot give the Secretary any more authority than he already has. If he wants to change the designs, he can do it today. It does not take an act of Congress.

Yet the Secretary has not acted to change coin designs.

I had hoped to be able to ask the incoming Secretary why he has refused if coin design changes are truly a revenue riser, to help reduce the deficit. He declined my invitation to testify. I had hoped to ask the Treasurer of the United States the same question. She declined my invitation to testify. Mint Director Donna Pope did accept my invitation, and I will ask her why the Reagan Administration is dragging its feet, if changing coin designs is truly a revenue raiser.

I am sure that the answer will be that the Treasury wants to defer to the will of the Congress. That deference to the will of the Congress is thoughtful but oddly out of character.

The Mint has not been reluctant in other instances to

aggressively interpret Acts of Congress as it sees fit. Even today, with the American Eagle bullion coin program in a year-long tailspin, the Mint refuses to sell bullion coins to American citizens who not only can recite the Pledge of Allegiance, but who fought for this Nation, while selling these American coins to foreign companies whose nations fought against our flag in the Second World War.

This sudden timidity to act on the part of the administration should be a warning that Treasury knows that coin designs are not revenue raisers. Surely an administration that has added one trillion dollars to the national debt would have grabbed on to, and taken credit for, such a painless revenue raiser.

I am opposed to changing our Nation's coin designs. I am opposed to removing "In God We Trust" from the coins. I am opposed to removing any of the Presidents from our coins. The Secretary of the Treasury has the authority to make changes in coin designs. While I think it is a bad idea, I will not stand in his way. We will hold this hearing, and the advocates of change can present their case. Then, I hope, the members of this subcommittee can get back to considering the serious problems that are facing this Nation.

Mr. Hiler?

Mr. *Hiler.* Mr. Chairman, should we mark you down as undecided?

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[Laughter.]

Mr. *Annunzio.* Do as you please.

Mr. *Hiler.* Well, thank you, Mr. Chairman, certainly, for that opening statement. I want to particularly thank you for holding this hearing today. Over 190 of our colleagues, I believe, have cosponsored this legislation, and I am one of those cosponsors. I think when we have a bill that has that degree of support, you know, this subcommittee does have some responsibility to have hearings.

This is a coin bill that is fundamentally different than commemorative coin bills in the sense that we are talking about changes in our everyday currency, as opposed to a commemorative coin that might only be in existence for a year or two.

So I want to thank you for having these hearings. I look forward to the testimony today from both advocates for design changes--there probably will be a person or two who may not be in favor of it, and some who would try to use a coin redesign as an effort to try to further a personal agenda; for instance, to take "In God We Trust" off the coin. Certainly, I would not subscribe to that, nor do I believe any of the 190 some odd cosponsors in the House would subscribe to that. That clearly would be spelled out in the body of the bill.

But with that, Mr. Chairman, I will yield back my time.

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Mr. *Annunzio.* Thank you very much, Mr. Hiler.

Mr. Gonzalez?

Mr. *Gonzalez.* Mr. Chairman, just a point of personal inquiry. Could I ask if Mr. Prins devised that poll, that survey?

Mr. *Annunzio.* He really had very little to do with it. In fact, nothing, as far as I am concerned.

Mr. *Gonzalez.* No, no. The reason is that if--

Mr. *Annunzio.* He may have assisted in my office--

Mr. *Gonzalez.* No, that is one of the most imaginative polls and surveys, and I just thought if Mr. Prins had, I would move to strike a coin as a memorial.

[Laughter.]

Mr. *Annunzio.* I appreciate that. I wanted to get it in to get a reading. I know that my people are not different than the people in your district. So I just suggest that every member of Congress run this survey in their districts. You get some of the answers, over a thousand answers that I got: Is that all you goddamn guys got to do?

Ms. Pelosi. Thank you, Mr. Chairman.

I want to thank you for holding this hearing today. I am pleased that the subcommittee is doing so. There has been a considerable amount of interest, as you know, in this bill over the past year, and this hearing will give us an opportunity to objectively hear both sides of the story and weigh

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the merits of the legislation.

I particularly want to commend our colleague, Chairman Rangel, for being here. He was on TV until the wee small hours of the morning, ably representing his colleagues in Congress with the wisdom and common sense. I commend him for all of his hard work in his busy day. I know that this is not the highest priority, but he took the time to come away from his war on drugs. So I want to join you in welcoming Mr. Rangel, and thank you again for holding the hearing.

Mr. *Annunzio.* Thank you.

I want to welcome our distinguished colleague from New York to the committee this morning, and it is with the greatest respect that I introduce Congressman Rangel from New York, who is the sponsor of the legislation which is being considered in this hearing.

Chairman Rangel heads the Select Committee on Narcotics as well as serving on the Committee on Ways and Means, where he chairs the Subcommittee on Select Revenue Measures. Chairman Rangel's efforts in fighting the horrifying drug problem in our country warrants the praise and admiration of all of the citizens of the United States of America.

I thank you for your dedication, Congressman Rangel, in this area, and all of us in the Congress admire the gallant fight you are making on the floor of the House on this drug enforcement legislation that has been before us and will

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probably be before us through the end of the week and maybe into the next week. Chairman Rangel, I welcome you, and if you have a prepared statement, your entire statement will be made part of the record. And you can summarize for 10 or 15 minutes.

STATEMENT OF A PANEL CONSISTING OF HON. CHARLES B. RANGEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK; AND HON. JAMES A. HAYES, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF LOUISIANA

STATEMENT OF MR. RANGEL

Mr. *Rangel.* Thank you, Mr. Chairman and distinguished members of this committee. I would ask consent of this committee to file my statement at a later date because in view of your opening major address, I was not really prepared for the candor which you have expressed. I would like to change my testimony to focus in on your legitimate concerns.

Mr. *Annunzio.* Without objection, it is so ordered.

Mr. *Rangel.* Also, I want to thank you for the support that you have given to me over the years long before I had the great honor to chair the Select Narcotic Committee. Without your support, certainly the members of my committee could not be nearly as successful as we hoped to be at the conclusion of our legislative business on the Omnibus Bill.

I also would want to thank you for one of your strongest traits; that is, fulfilling commitments that you have made. Notwithstanding the fears of other people, there was no question in my mind that when Chairman Annunzio indicates

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that hearings are going to be had, that hearings will be had. So it is no great surprise to me.

Since there was an implication in your opening remarks that as the Annunzio district goes, so goes the rest of the Nation, I might want to make a commitment to you that as long as we have a legislative process that is supposed to reflect the various thinking of all of the people in this great republic of ours, it would seem to me that 194 people not poll their districts in terms of the expertise which was demonstrated by your office in the questionnaire, but in view of the fact that each of us, indeed, runs a poll every two years. And 194 of your colleagues have indicated that they would like this matter to be before them, and the other body, which certainly should not influence our decision. But when 96 of them indicate that they would want changes and 75 percent of the Banking Committee, as well as the majority of this august committee, it would seem to me that, notwithstanding the expertise and the common sense always demonstrated by the people in your district, that perhaps the rest of the Congress will be heard on this issue.

I would like to point out that it would bother me if what we were saying is that the Senate, or the other body, and the majority of the House believe this thing to be so non-sensible that they are just spinning their wheels and bringing this matter is just a waste of time of this com-

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mittee. As a matter of fact, it would seem to me that when the majority of the House want to speak or legislate on any issue that we really have to reserve our comment as to the worthwhileness of the legislation, even though the powers that we have in the Congress have been demonstrated in the past. And I think that we have access to a legitimate proceeding in the House to make certain that we are heard on the issues.

I would not want to be associated with any legislation that is going to strike from our coins "In God We Trust." I would like to wonder where this possibly could have come from, or to alter the placement of our Presidents on our coins. And if, indeed, it is going to cost money--being on the Ways and Means Committee--strike this member from any effort to increase the deficit for new coins.

I have my own agenda; you know that. And new coins that are going to cost money is not a part of it. So I am not interested in who prepared the questionnaire. I am interested in where are these facts coming from. We have the Office of Management and Budget. We have the Congressional Budget Office. And even though we do not normally follow the direction of Treasury, since the Constitution gives us the right to have our own initiatives whether they like it or not, we even have the support. If you do not have their testimony, I would like consent to have their testimony

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before the Senate made a part of this record. We do not need them over here to say that they think this idea makes a lot of sense.

Now, one might ask: What is a person that is so concerned with narcotics doing getting involved with this issue? Well, let me tel you this: For some time, I have thought it might serve our battle against narcotics well if we could get rid of some of these thousand-dollar bills that narcotic traffickers issue and deal with.

I was surprised to learn that if we ever had the courage to think about doing something like this that we could receive billions of dollars because the drug kingpins do not intend to come forward and turn in their money for the new money. But I have not done enough research even to bring this matter before you, much less the people in your distinguished congressional district.

But it would seem to me that as we move forward with the Bicentennial which, to me, is an important statement for our great Nation, as we celebrate the 200th year of our anniversary--and I have shared these views with Lindy Boggs, a leader in our Nation and in the Congress--that our coins are really calling cards for who we are. And that if we can send a message of how proud American people are to celebrate our Bicentennial, that I will go to the high heavens to say let it be heard throughout the Nation and the world. We are

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proud of who we are.

And if I can get people that do the research to report back to me as they have, that this is not going to lose money but, indeed, make money. And that God's status is not going to be changed on the coins and that our Presidents will continue to have their resemblance on the coins. What are we talking about today in having a view as to what voters are considering during the important issues that we are bringing before them?

Mr. Chairman, I want to tell you that the concerns that you have have to be my concerns. We ought to take a look and see what is the non-issue. And I would suggest to you that the non-issue before this committee is that we want to strike a blow against God. The non-issue before this committee is that we want to increase the costs in order to have these new coins struck. The non-issue before this committee is that we don't have the moral, legislative or political right to decide what 194 members say that they have an issue they want to vote on. That is just that unimportant.

Now, I'm not an expert in this matter. As a matter of fact, whe they first came to me, I said if it ain't broke, don't fix it. We're getting along with old coins. Why have new coins?

When I'm convinced that this great republic of ours has a message to send out there, and if people want to hold on to

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those coins for themselves, their children and their grandchildren, and saying I was there when this coin was struck, let me tell you one thing, Mr. Chairman, I will be the first one to have those coins to say that it was passed on my watch, when I was a member of the 100th Congress, and I was proud to do something about it.

I will not bother you in terms of trying to take some kind of poll. I'm doing this because I think it's the right and it's the legislative thing to do. I am certain that my colleagues share this view because they have more important things to do than to have their names just on pieces of legislation that they think are non-issue. And I would like to believe that even though the Senate does things that surprise me, there when 96 to zero pass a bill, somebody must have thought it was an issue.

But, in view of the fact that you've raised concerns that you have in your constituents, I want to thank you for giving me the opportunity to prepare testimony to deal with those facts, and to ask you and your counsel to see what we can do to speedily mark up this bill so that we will be able to say that the good judgment of the people in your district is reflected by the good judgment of the people on your committee.

Thank you, Mr. Chairman.

Chairman *Annunzio.* I must tell you about the people

in my district, Mr. Rangel. For the last 25 years, they have been voting for a Republican for President. A Republican for President has carried my district each time. I am the only Democrat that wins. I just want you to know about the judgment of the people in my district.

Mr. *Rangel.* I would want to share with you that for the last 18 years people in my district have supported the Republicans and have supported me. So it's basically the same thing.

Chairman *Annunzio.* I expected you to answer the question in that manner, and that shows the difference in districts throughout the United States in their makeup.

Mr. *Rangel.* I have the utmost respect and certainly the good judgment--

Chairman *Annunzio.* I challenge any Member of Congress t run this survey in their own districts. And, boy, I'll tell you something. If they get the result that I got, and I wouldn't be here talking about the result--that is the actual result and I am sure my colleague from New York knows that.

But I want to tell you I represent a district that votes democratic locally and republican nationally.

Mr. *Rangel.* I respect their judgment in voting for you, but could you tell this member what that has got to do with my legislation and the legislation of 194 members and 96 Senators?

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If you can tell me that, maybe I am at the wrong forum. I'll go to your Town Hall Meeting and congratulate them for their judgment. But don't do this in my House of Representatives because I would not want other members to be judged by the intelligence of my constituents in sending me down here for 18 years.

Chairman *Annunzio.* We have several other witnesses, Mr. Rangel.

Congressman Jimmy Hayes, are you here?

Mr. *Hayes.* I am right here.

Chairman *Annunzio.* Congressman Jimmy Hayes of Lafayette, Louisiana, is an avid and well-known numismatic. Jimmy Hayes' collection of United States silver coins was described as legendary, the finest quality collection ever sold when offered for auction in 1985.

Before coming to the United States House of Representatives in 1986, Congressman Hayes served as Commissioner for Financial Institutions for the State of Louisiana, a member of the Louisiana Fire Market Commission, an attorney by profession. He was Assistant District Attorney for three parishes in Louisiana.

Congressman Hayes currently serves on the Committee Works and Transportation, and the Committee on Science, Space, and Technology.

I welcome you, Congressman Hayes, before the committee.

If you have an prepared statement, your entire statement will be made part of the record, and you can proceed in your own manner, about 10 minutes.

STATEMENT OF HON. JAMES A. HAYES, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF LOUISIANA

Mr. *Hayes.* Thank you very much. I would ask that the statement would be presented in that manner, and attached to it is a statement previously made in the Senate hearing.

Chairman *Annunzio.* Without objection.

Mr. *Hayes.* I was amused in coming in earlier listening to the final discussions of the markup of the Commemorative Bill in light of what I had to tell this subcommittee this morning.

Subsequent to my testimony before the United States Senate, and as a result of conversations with some people who had concern about design change, I realized that I should have included statements there that I would like to make here.

Our coin designs have been a center of controversy since the first pieces were struck. In fact, where they were struck was a center of controversy and remains one. In fact, whether or not the coin referred to by President Washington in his second inaugural address is a coin is still a matter and subject of debate, who designed it, whether it has the portrait of Martha Washington. But a local newspaper summed it up probably best in the context of our own arguments.

A local newspaper in Philadelphia referred to that small

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beginning of coinage as having probably the ugliest reverse in the history of mankind, depicting a small infant eagle as unable to defend itself, and was heavily critical and made the comment that this was done under the authority of the Secretary of State who, at that time, had control of the Mint, and that people would always remember him for this stupidity, which is, of course, why we always remember Thomas Jefferson for that, and nothing else.

Our coinage that circulates is not as different from the previous legislation as it might appear to be. For example, I concur with you, without having run a survey, and will accept your invitation to do so, but expect that the results will not be so dramatically different, that the vast majority of American people will resist change in coinage design as they consistently have throughout history.

But the question is, for that reason, should we still have Indian pennies circulating or, as a matter of fact, should we ever have changed Robert Scott's design of the dollar, and should we ever have changed whether or not we circulate a half cent piece. I think those considerations bring a congressional legitimacy into the inquiry that may not agree with public concern.

On the other hand, I think that your concerns are not only legitimate, but I am not sure you could not have expressed consumer affairs concerns in addition to those

monetary concerns which you stated.

So let's see if there is not a middle ground upon which both you, as chairman, your committee, and my good friend Mr. Rangel, cannot in fact meet. And I think we can do so by looking at the coins that presently circulate through our hands.

The Lincoln cent, the beautiful design by Victor Brenner, was done in 1909. That was not a random date. That was the 100th anniversary of the birth of Abraham Lincoln. In 1959, when the reverse was changed, it was, of course, the sesquicentennial of his birth.

If we look at the design that was done for Flannagan's execution on the quarter dollar, the Washington quarter that we use in circulation today, it was done in 1932. That was the bicentennial of the birth of George Washington. Those were not random or unselected events.

Even some of the ones that don't appear to correspond, upon a little numismatic research, you can find a connection that is made. The Jefferson nickel, Felix Schlag's beautiful design of Jefferson, was released in 1938. Jefferson was born in 1743. That would not appear to correspond. However, 1938 was the year of the beginning of construction of the Jefferson Memorial. Congress thought it best to call attention to that construction, both as public support, and to remind the public that it was intended to be completed by

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1943 for the 200th anniversary of the birth of Thomas Jefferson when, in fact, it was subsequently dedicated.

In 1943, the composition of the Jefferson nickel was changed to a silver issue. Once again it was not random or indiscriminate changes.

The point that I'm making is that we are very close in the year 1992 to both the 500th anniversary of the discovery of America and, coincidentally, the 200th anniversary of the beginning of coinage through the United States Mint.

This appears to me, in light of the comments which you have made, and in light of the comments which Mr. Rangel has made, to be the most appropriate time to consider design changes for both aesthetic and historic purposes, and would do one other thing. It would allow input to a great extent by citizens concerned with the arts, citizens concerned with coinage, and citizens concerned with history, allowing them an opportunity to go forward by 1992 under the directory of the Treasury Department, under the directory of concerned and appropriate agencies, and prepare our ambassadors to the rest of the world to show our pride in both our past and our confidence in our future.

I would like for you to take these comments as coming from someone with a background both in banking, but then again I have the distinction of closing the first bank in Louisiana that had been closed in over a decade. Or I would

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like you to take this in concerns of vast numismatic knowledge. However, my vast numismatic knowledge is somewhat suspect because there is a major auction sale on October 5, 1988, by America's oldest and largest auction house. They do me the distinction on their Lot No. 19 as showing that the piece was acquired from the Grant Pierce sale, and they say U.S. Congressman Jimmy Hayes. Well, I bought the coin for $3,600. I sold it for 9,000. And they are estimating its value at $150,000. So I don't think I would take what I had to say in numismatics with a great deal of confidence either.

[Laughter.]

Therefore, I am reduced to being nothing more than one of those citizens who write back or answers questionnaires, but one who is mindful, both of the history which we have given and those young kids, and a few olders, sometimes legislators, whom we have taught by illustrating the history of this country through its coinage. And I know that both the chairman and, indeed, the distinguished chairman whose work in this field and in drug enforcement, and hopefully passage of a major bill, have a common ground upon which they can meet, and that common ground is history and education.

Thank you very much for the opportunity to testify. I'll be happy to answer questions.

[The statement of James A. Hayes follows:]

**********STATEMENT FOLLOWS**********

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Chairman *Annunzio.* Thank you very much for your testimony.

I have no questions of Mr. Rangel or Mr. Hayes.

Mr. Hiler.

Mr. *Hiler.* I might just ask one question of Congressman Hayes. I appreciated both of your testimonies. And I don't know the answer to this. This is not a kind of a leading question.

How many times have we changed currency?

Mr. *Hayes.* The currency or coinage?

Mr. *Hiler.* Coinage.

Mr. *Hayes.* I believe I could recite it. It so happens that what I specialized in was first years of design changes. But I have a feeling that by the time I got through reciting it, everyone in here would be asleep.

We have had long spans of coinage from the inception of the Mint in 1792. At the beginning, we changed quite often because we were making some experiments in design changes, bringing in equipment. We didn't have presses, for example, that were fully capable of striking a silver dollar in 1794. The left side of the design was very coarse.

So, with new machinery, we changed the design in 1795. Also it so happened that the design was criticized heavily, and then Gilbert Roberts made a tremendous--I'm sorry,

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Gilbert made a tremendous contribution in the Aubers(?) design.

In the 1790s--I am trying to make this general and non-numismatic--we made fundamental changes. Then we had long spans. For instance, the mid 1830s all the way to the 1890s where the same silver coin design was consistently used and virtually the same gold coin design consistently was used, a magnificent design by a German, Christian Gulbric. And from the 1890s into the World War I era, we had a consistent design. Then, all of a sudden, we went to our art deco period. Theodore Roosevelt loved the coinage of this country, and decided that he wanted to returns its view to the classical Greek. So he changed the $10 and $20 gold pieces, having Augustin St. Gaudins do some redesigning, and then Fellow Leon Pratt did work on the quarter eagles and on the half eagles.

At the same time, I think we did some beautiful work in having Robert O. Frazier do the buffalo nickel. And we had, in 1916, Herman McNeil and A. A. Wyman, Herman McNeil doing the quarter, and Wyman doing the dime and half dollar.

Then we hit into the era I just named, the modern era, with the exception upon the tragic death of John Kennedy, the following year leading to the half dollar changes; and, of course, at the end of the Second World War with the death of President Roosevelt leading to the redesign by Synic(?) in

1946.

We have changed, but I hope that the point that I am making is never with a whim. We have changed because either machinery and technology dictated the changed, or we have attempted to commemorate or react to a historic occurrence. And for that reason the year 1992 beckons us to take appropriate action.

Thank you.

Chairman *Annunzio.* Mr. Gonzalez.

Mr. *Gonzalez.* Thank you, Mr. Chairman.

Well, let me say, Congressman Hayes, it was exactly a month ago we were together in Mississippi, the Delta.

Mr. *Hayes.* Where no one has any coins at all in any amount.

Mr. *Gonzalez.* But we were conducting hearings on housing conditions sponsored by our distinguished colleague, Mr. Espy. So I am delighted to see you again and appreciate your brilliant performance.

I wanted to point out that, half a century before the establishment of our first mint, we had the Garza Mint in San Antonio, Texas. Were you aware of that mint?

Mr. *Hayes.* It's too bad it is not still there. I bet you could make good use of it.

Only through historic reference. I'm not remotely aware of any of the details.

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Mr. *Gonzalez.* Yes, indeed. San Antonio has that distinction.

But your grasp and knowledge of the history of our coinages is superb, it's magnificent. I congratulate you.

Well, I wanted to ask you, Congressman Rangel, Charlie, as we affectionately call you, you know you are a very dear friend and you are very persuasive, and I am one of your co-sponsors. And since then, of course, I realize that there is quite a conflict in the interpretation of the thrust of the proposed legislation.

I think the basic arguments that I recall are one as to the cost involved and the extent of the modification, such as the criticism that the design change advocated would change such things as the Presidents on our present coinage and other things such as the sacrosanct "In God We Trust."

And what I would like to know from you, as the author in the House of this legislation, what is the, as you present it, the thrust, the impact budgetarily, the budget impact, and the extent of the design changes that you are seeking.

Is your legislation thinking the creation of a commission, for example, to study the designs that would be recommended to the Congress, or do you have--my reading of it didn't indicate that it was that dramatically forcefully impact to that extent?

Would you mind extending a little bit on that?

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Mr. *Rangel.* Chairman Gonzalez, what do you do when you have a piece of legislation that has successfully passed the Senate, and you hear criticism of your legislation on issues that are not in the bill? I don't know what to do.

Mr. *Gonzalez.* Charlie, up until this last year, I hadn't had that wonderful experience in the bills I've handled, such as housing.

Mr. *Rangel.* Why should I be defending that I believe in God and I want it on the coin when there is nothing in the bill that is going to take "In God We Trust" off? Why should I have to show the depth of my christianity and patriotism by talking about things that people have just discussed?

There is no President that is going to be removed. So I don't have to tell you my love and affection for the Presidents that are on the coins in the hope that would be here.

I serve on the Ways and Means Committee, and I know that there's differences in judgments and budget estimates coming from OMB and coming from the Congressional Budget Office.

This is not being presented to this committee to balance the budget. But I am saying this, that if all of them agree that is a revenue raiser and not a loser, then what are we discussing, whether OMB is correct or whether CBO is correct?

I am not here to support the United States official to the Treasury Department. But if they say that basically the support for the bill is accurate, certainly I agree with the

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chairman, they don't need us to do what they would want to do if they had this overwhelming patriotic feeling that I do. But that is why I'm an elected official, I don't have to wait for them to do the right thing. We can do it here.

But clearly there is nobody that has said this piece of legislation is going to cost money. Now, I didn't mean nobody. I meant nobody is saying it and sharing where they get their information.

Mr. *Gonzalez.* Charlie, how could you encapsulate or succinctly state the net thrust of your proposed legislation?

Mr. *Rangel.* I would say that issuing new coins, where the first one-half of the detail side would demonstrate the love and affection that we have for our country, by demonstrating as a calling card to our people and people throughout the world that we celebrate our 200th anniversary. And if in doing that we maintained the traditions so that people who don't like change--and I am one of them--do not see a dramatic change in those things that will become a part of their tradition, "In God We Trust," our Presidents.

And if during this dire economic period that our Nation is going through, I can tell you that not only does it not lose money but every group of people that we rely on for an estimate before we make our judgments indicate that it is not going to balance the budget, but it does raise some revenue so that we don't have to borrow millions of dollars and pay

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interest on that. To me, it's the patriotic and the right thing to do.

I admit there are higher priorities than patriotism. But to me this would be the appropriate time to do it.

I want to thank Congressman Hayes for the support that he has given throughout the periods that we were getting support for this from the House, and the expertise that he brings to this subject matter far exceeds mine.

I would assume that every two years from now until we die, there will always be an historic reason for doing something. It just seemed to me that the bicentennial is the bicentennial, and each year that our new country survived 200 years ago, there was a new reason to celebrate that.

But I do not think that when 194 Members say, let us celebrate it now, what is the compromise? That we are wrong? That is the reason why we vote on the Floor. That is what majority rule is all about.

Mr. *Gonzalez.* I agree, and I am a cosponsor. My time has expired, but if we get another round, I have one followup question.

Thank you, Mr. Chairman.

Chairman *Annunzio.* Ms. Pelosi.

Mr. *Pelosi.* Thank you, Mr. Chairman.

I, too, want to thank our witnesses for their testimony this morning.

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Mr. Hayes, thank you very much for placing our decision in the context of history, and with a perspective on the future. Of course, I don't think you should be discouraged about the value of that coin after it left your hands.

Perhaps the fact that it was in the possession of such a knowledgeable person about coins that its value increased.

Mr. *Hayes.* I also used to own the rarest two issues of the San Francisco mint, if that would make you feel better.

Ms. *Pelosi.* It makes me feel better.

We look forward to welcoming you to San Francisco to share your knowledge on this, and I am sure on many other subjects.

Mr. Rangel, my question is really a follow up one to Mr. Gonzalez'. When you were making your testimony and told us you would like to resubmit your original statement, you said that when this issue first came to you, you were--what business do I have to do with it? I'm busy, et cetera, why is this important?

And my understanding of what it is important is to brag about our bicentennial and our history. That is your prime motivation in terms of offering and sponsoring this legislation?

Mr. *Rangel.* No question about it. And I do not know whether Congresswoman Lindy Boggs is going to have an

opportunity to testify, but when you talk to her, it's like being a reborn American as it relates to this bicentennial.

And most of the enthusiasm that I reflect has been because I shared this view when the Commissioner of Fine Arts came to me first, Ms. Diane Wolf who has done a remarkable job in the House and Senate.

And more importantly, when the full group came to visit with me, I said, you have the wrong Member. But I did promise that I would talk with certain Members to see whether or not we could do something in the bicentennial year.

And you know, this started 18 months ago, and we have now reached the 11th hour in this session of Congress. And as one Member of this great body, I would not to see this supported.

Ms. *Pelosi.* I thank you, Mr. Chairman, for your remarks.

I agree that Commissioner Wolf has demonstrated enthusiasm and energy on this subject. Like a whirlwind, as they say, the wolf is at our door if we are not going along with this program.

In any case, I hope that with your testimony and Congressman Hayes' testimony that Chairman Annunzio and our committee can come to some compromise on this issue.

Thank you, Mr. Chairman.

Chairman *Annunzio.* I want to thank the witnesses for

appearing today. Their testimony is all part of the record.

I don't expect any proponents of the legislation before me today. Therefore, I made a strong statement of my own.

But I also think we should correct the record. Are we talking about the quincentennial?

Mr. *Rangel.* The bicentennial.

Chairman *Annunzio.* We celebrated the bicentennial already.

Mr. *Rangel.* Of Congress.

Chairman *Annunzio.* Of the Congress, right, okay. The bicentennial of the Constitution.

We had a gold coin already. Ms. Linda Boggs was a sponsor. I was one of the sponsors. It passed.

Now, what we are talking about now is the quincentennial, 1992, which is the discovery of America--the other, the bicentennial of the Constitution, and the discovery of America.

Well, I thank you both very much for appearing. We have two other panels. The hour is getting late.

Mr. *Rangel.* Thank you, Mr. Chairman.

Chairman *Annunzio.* Our second panel is the Honorable Donna K. Pope, Director, United States Mint; and Mr. Neil Porterfield, vice chairman of the Commission on Fine Arts.

Mr. Porterfield, if you would take your place.

Mr. Porterfield, if you have a prepared statement,

without objections, that statement will be made part of the record.

We are moving along, and you can, in your own way, summarize for about five to ten minutes your testimony. But your entire statement will be made a part of the record.

Without objection, it is so ordered.

Mr. Porterfield, will you identify the lady at the table with you for the record.

STATEMENTS OF HON. DONNA K. POPE, DIRECTOR, UNITED STATES MINT; AND NEIL H. PORTERFIELD, VICE CHAIRMAN, COMMISSION OF FINE ARTS; ACCOMPANIED BY: DIANE WOLF, MEMBER, COMMISSION OF FINE ARTS

Supt. 1988 Porterfield's testimony with Diane's statements included →

'ATEMENT OF MR. PORTERFIELD

Mr. *Porterfield.* The lady to my right is Ms. Diane lf, Member of the Commission of Fine Arts. She is here as a resource for me in case we have questions that I cannot handle.

Chairman *Annunzio.* Thank you very much.

Mr. *Porterfield.* Good morning. We certainly appreciate this opportunity to come before you.

The Commission of Fine Arts welcomes this opportunity to comment on H.R. 3314 which authorizes the changes of the circulating coin designs.

It has been a long time since we have had a major change in the design of our coins. With the exception of the 1976 reverses, marking the bicentennial of the American Revolution, the only other circulating coin to have been changed in recent history is the Kennedy half dollar which was introduced nearly 25 years ago.

The reverse of the set was last changed in 1959 when the

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Lincoln Memorial was placed on the reverse. The Roosevelt dime dates from 1946, and the nickel has not been changed since 1938.

From its earliest beginnings to this very moment, our Nation has prospered through innovation and change. If our coin designs are a reflection of the values of our society, then we feel it is appropriate to move forward with the proposed legislation.

At least that is the way the Commission feels at this time.

In April of 1987 the Commission unanimously adopted a resolution calling upon Congress and the Secretary of the Treasury to embark upon a program to bring new coin designs to the American public.

We feel each new generation ought to be able to contribute to our national cultural heritage, a concept that I'm sure firmly underlay the 25 year timeframe of the current law governing coin change.

The time is overdue for this generation, and we feel that the appropriate time is now, at the time of our bicentennial of the Constitution and the 100th Congress.

Coins should celebrate hallmarks in our history.

The Commission is particular pleased with the Senate's passage of S. 1776, and strongly urges the passage of your bill. We think it's a good bill.

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It provides for change on the reverse designs while at the same time keeping the continuity of the present subjects on the obverse.

Although as we understand the legislation, new renderings of the presidential portraits can be considered. But certainly, presidential portraits cannot be removed.

It also provides a reasonable timeframe to accomplish this change, allowing a period of six years.

The Commission of Fine Arts, under law, advises the Secretary of the Treasury and Congress as to the merits of coin design. The Commission has judged designs for all the coins now in circulation, with the exception of the obverse of the cent which predated the Commission's birth by a year.

We look forward to the opportunity to advise the Secretary on the upcoming designs as well, and we are happy to note that the bill provides for consultation with the Commission of Fine Arts.

However, we are concerned with the use of the word, upon, on line 24. In light of all the other testimony, this is a very, very minor point. However, we would like the Secretary's decision to come after consulting with us rather than upon consulting with us. The dictionary says that "upon" carries the sense of immediacy and immediately, and we would prefer the word "after" because we think it makes that more clear.

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Mr. Chairman, as many of us already know, much of the drive of this present initiative has come from one of the Members of our Commission, Ms. Diane Wolf, who I previously introduced.

She is the author of the Commission's resolution recommending that the designs be changed. She has devoted an enormous amount of time and energy to this cause.

Commissioner Wolf has stimulated national interest--indeed, international interest--in a whole wide range of design issues involving coins and metals. And without that strong coalition of support she has garnered, I am sure that we would probably not be here testifying today.

And I think I mentioned earlier, if you have any particularly tough question for me, I felt more comfortable having her at my side, so that is why she is here.

Thank you very much.

[The statement of Mr. Porterfield follows:]

**********STATEMENT FOLLOWS**********

Chairman *Annunzio.* Thank you.

Now it is my pleasure once again to introduce Donna Pope. Do you have a prepared statement?

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STATEMENT OF MS. POPE

Ms. *Pope.* Yes, I do have a prepared statement.

Chairman *Annunzio.* Without objection, your entire statement will be made a part of the record.

Ms. *Pope.* I will deviate somewhat from the prepared text, although I cannot promise that I will be a whole lot shorter.

I would like to start by thanking the Chairman for the amendments to the last bill. If this bill is adopted, I hope we make out as well with our suggestions for this one.

The Treasury welcomes the opportunity to present comments on the bill. The movement to modernize United States coinage, which began over a year ago, has attracted a great deal of interest in the numismatic community.

And as I testified in the Senate earlier, the Treasury generally finds nothing objectionable about this legislation. However, we do have some concerns which I will address this morning, and would strongly urge that the House consider some minor changes, but important ones, to the legislation if it is adopted.

I also, in my remarks, will attempt to clear up some statements that are gross misstatements that have been made by various people over the last year and a half.

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Since its establishment in 1792, the Mint has successfully fulfilled the Nation's demand for coins, and the coin designs during this time have embodied the sentiments of our country while at the same time underscoring the stability and soundness of our Nation's economic system.

The designs on our current coins, except for the bicentennial issues in 1976, have remained unchanged, as has been said, since the introduction of the Kennedy half dollar nearly 25 years ago.

Since that time, there has been a rapid growth in coin demand with production increasing from 2.8 billion coins, to a projected need for nearly 17 billion coins in 1988.

There was a slowdown, as the Chairman knows, in demand between 1983 and 1986. But we are now experiencing a significant increase in demand.

As the Chairman also stated, we have not heard from the general public. Members of the numismatic community, who are the proponents of the current proposal to change demands, cite a need to modernize coins, which they think have become stagnant, and some have suggested contemporary designs for the coins.

And I would just like to point out that in our rapidly changing world, where technological marvels quickly become museum pieces, contemporary designs may not be desirable.

If, for example, a contemporary design had been adopted

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25 years ago depicting a Mercury space capsule or the revolutionary device known as the transistor, in this day and age of microchips and the Shuttle, it surely would be out of date.

Yet the Jefferson nickel is as timely today as it was when it was introduced. So I think we need, if the legislation passes, to give careful consideration and have ample time to have timeless characteristics earmarking our coinage.

If the legislation is adopted, we believe it will be possible over a six-year span to implement new coin designs as prescribed in the legislation with a few minor changes, as I mentioned.

Prior to the first design change, a developmental and testing period of at least 15 months will be needed. The reason for that is, three months are necessary for the selection of artwork if we don't have a wide open competition. Three months to develop the design from artwork to the coin; that's the usual period of time. And six months of crucial testing.

Now the crucial testing is something that we never seem to have time for in our commemorative coin programs, but commemorative coin programs are short lived, and are comparatively few coins; millions versus billions here. So the testing is not quite as crucial.

But in this instance we need six months of testing; and

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I will underscore that again later. And then three months of production time to mint an adequate inventory of coins so that they can be released throughout the Nation at the same time.

Introduction of each new design should start at the beginning of the calendar year when designs are normally modified for a new date. A midyear change would increase numismatic speculation, and could place very serious strains on our coin production capacity.

Now, let me say a word about our coin production capacity. At the end of this year, when the additional seven high speed presses previously purchased come on line, our circulating coin capacity will be 18-1/2 billion coins.

And I mention that, I underscore that, because as I recall, both Ms. Wolf of the Fine Arts Commission, and Dave Harper, formerly of Numismatic News, have made the assumption that since in 1982 we produced 19 billion coins, that that was our capacity then, and that it has grown; and that simply is not so.

Back then, we were into a penny shortage. I might also add, I was a fairly new Mint director. We cranked up the coin presses. We diverted some nickel presses to making pennies. Pennies are easier to make than the other coins. We worked on Saturdays and Sundays. We made pennies at West Point and San Francisco. And that's how we made 19 billion

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coins, and that was at a time when there were no commemorative coin programs going on.

So we would make it clear that our coin production capacity is not 19 billion coins, as some people have presumed to say.

If the legislation is enacted, we request that the legislation be amended to require that the first coin be issued at the beginning of the first calendar year 15 months after enactment.

So if it was enacted in October of this year, we could have the first coins available in January of 1990.

Now, I would like to tell you that, I said, if we make the change in the middle of the year, that is going to cause more numismatic withdrawal. And if you ask the numismatists about that, they're going to say, that's right, and they love it. But it's going to put a strain on our capacity to do it.

I would like to emphasize that our concerns about sufficient time are very serious. In our commemorative coin programs, we react very quickly to produce a comparatively small number of coins.

But rushing into production of a new coin design for circulating coinage would be very costly, both in terms of a large number of dies that would be needed, and the loss of press time due to excessive die changes.

Coins for circulation are minted, as you know Mr.

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Chairman because you have seen it, by machine-crafted dies fitted into multi-die or high speed stamping presses. And the development of dies for a new coin design is a very lengthy and expensive process.

And finding the right crown relief, sharpness of detail, is not an exact science. There is no way that an architect can work it out mathematically. It's by trial and error.

And if the trial strike fails, you start the whole thing again. So it's imperative that we have the proper dies developed because any inefficiencies would be costly, and the Mint would suffer for many years to come.

Certainly we would be asking for even additional appropriations, and in fact, if the die life is too low, we wouldn't be able to produce enough coins needed for commerce.

Remember, we're talking about something that has to last for at least 25 years, if not longer, unlike a commemorative coin program. And there have been those who have tried to liken changing a coin design to a commemorative coin program, and that is just not a good analogy.

We estimate that it will take six months of testing. And of course we have said that each design would cost about $125,000 for the testing and the design work. And in addition, $7.4 million in additional appropriated funds over the course of the coin design changes. So that is six years.

That figure of 7.4 is slightly different than it was in

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the Senate, because we have experienced a greater growth in coin demand right now, and so all of our projections have gone up.

As I stated earlier, we believe we can implement the coin design over a six-year period, but the conditions have changed since I testified in April in the Senate. We can do it, but it is going to be a real challenge.

As you know in recent years the Mint has requested funding for production levels less than expected coin demand. And that was done to reduce the humongous inventories we had back in March of 1986.

But during 1987 coin demand has begun increasing, and the trend has continued through 1988. And as a result our inventories are at critically low levels.

Now, there have been those who have said we have a six month inventory of coins. That is not true. The Mint is attempting by every means possible to increase production during 1988 and 1990 in order to build up inventories to acceptable levels for the Federal Reserve and the Mint.

We say that we can do this coin design change, but that is because we do not anticipate significant short term increases in coin demand due solely to coinage redesign as has been projected by others.

As a matter of fact should the projections and suggestions made by Dave Harper come to pass, which we sincerely

feel will not be the case, but if one were to believe that and use the numbers used by Mr. Harper, the Mint couldn't handle it, and my testimony might be different today.

The Mint will introduce the Constitution, bicentennial design, proposed by the legislation, on the quarter first. The temporary design change will add a numismatic character, which will prompt an initial increase in demand followed by a fairly steady withdrawal of that coin over time.

If the Constitution bicentennial quarter is issued in '90 and '91, the Mint anticipates a 12 percent withdrawal of the coins in each of those years, and we would need about 177 million extra quarters in '90, and 198 million extra quarters in '91, over and above our usual demand.

The Mint anticipates a 6 percent withdrawal of a new design during the first year of the long term changes. And then after the first year, really, no additional withdrawal until about the eighth year.

And we base that on what is not a whole lot of information, because there haven't been all that many coin changes. But on our TI studies, we have looked at what happened during the bicentennial quarter time; and also, the changing from the weak penny.

I know I must be running overtime so I am going to skip the next couple paragraphs and say that the proponents of the new coin designs have cited certain revenue enhancements

which would accrue as a result of design changes.

Those enhancements are derived from predicted increases in the sale of numismatic sets and increased seniorage, and they have ranged as high as $2.3 billion, and have been looked at as a solution to budget deficits.

Based on our analysis, as I said, of past demand patterns, we estimate $256 million in addition seniorage receipts to be generated in the first six years of the new designs; and $18 million in additional numismatic profits over the same period of time.

Now, let me say that without changing designs at all, the Mint expects $3.5 billion in seniorage in the next six years. So the additional seniorage of $256 million represent about a 7 percent increase over the $3.5 billion seigniorage expected if we don't do anything.

In addition, while seigniorage is often called the profit from coin production, and many have assumed that this profit is similar to the profit from the sale of numismatic products, it is quite different.

Seigniorage is not an on-budget receipt, and doesn't directly offset expenditures. It in itself does not reduce the budget deficit. As an off-budget miscellaneous receipt, it is subtracted from the amount borrowed from the capital markets.

By decreasing the amounts which have to be borrowed from

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the public, it reduces the interest which has to be paid on those borrowings.

And the Treasury's controller has estimated that for every $100 million in seigniorage generated in 1987, $5.9 million in interest costs were saved. I know that CBO has another estimate, but it's not all that terribly far off.

So $100 million in seigniorage really relates, according to the Treasury controller, to a savings of $5.9 million.

The primary mission of the Mint, of course, is to provide coins for commerce. And seigniorage is a byproduct of that fact; a very nice byproduct which we try to maximize by cost efficiencies, but a byproduct nonetheless.

And therefore, aesthetics and public need, not seigniorage, should be the factors on which a decision is based, whether coin designs should be changed or not.

And I think that that statement, plus the fact that we have not heard from the general public, I believe answers the question that you are going to ask, Mr. Chairman, as to why the Treasury has not just independently changed coin designs.

The Treasury and the Administration does not view coin design changes as a meaningful way to reduce the deficit, and feels the decision should be made by the public's perception of the aesthetics of the coins.

I might also point out, just as a matter of clarification since the Chairman mentioned it, that the Mint does sell

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Eagles to Americans the same way it sells them to foreigners, including to those nations who have fallen under criticism for not buying other American products.

And I think we should be really proud that wants to be bought all over the world.

The profits from increased sales of the numismatic sets will result in new revenues to the Treasury. I should point out that last year the Mint returned a profit of $25 million from the sale of annual proof and uncirculated coin sets; and by changing coin designs, we estimate an additional $3 million of annual profit could be expected.

Thank you very much, Mr. Chairman. I apologize for being so long.

[The statement of Ms. Pope follows:]

**********STATEMENT FOLLOWS**********

Chairman *Annunzio.* Thank you, Ms. Pope, for your very excellent statement, and for saving me the problem of asking that question. I had it ready for you, whether you intend to recommend to the Secretary that he implement fine design changes under his existing authority. You've already answered that question.

Would you care to answer it again? If the Treasury finds nothing objectionable.

Ms. *Pope.* The legislation as written, since the Treasury can do it, if the people speaking through their elected representatives want a coin design change, then we can do it, according to our estimates.

So we can't really come out and say we oppose the bill, because we can do it.

The Treasury Department has not heard from the general public. We have not done any survey. The Mint itself received 330,000 pieces of correspondence in the last year; 29 of them have talked about coin design changes.

So I can't go to the Secretary of the Treasury and say there is a compelling demand by the public.

The new Secretary, I am sure, is not at all aware of the details of this issue.

Chairman *Annunzio.* If the Secretary wanted to implement his present authority, he has that authority given

to him by the Congress of the United States; is that right?

Ms. *Pope.* That's correct.

Chairman *Annunzio.* All right.

Mr. *Hiler.* Let me just throw open a question to Mr. Porterfield, since part of the discussion that has taken place in the last panel and has just come out in this panel has been this whole question of public support and public demand, public involvement, public everything, relative to coin redesigns.

I wonder if you might just be able to comment on that?

Mr. *Porterfield.* Well, as all of you know, the role of the Commission is not to garner support directly. We are a commission that responds to proposals from an aesthetic point of view.

So we do not take it upon ourselves to take polls to determine whether there is public support or not. I think we are looking at it strictly from an aesthetic point of view; a timing point of view; and we have expressed those feelings as a body.

But I certainly can't sit here and say that somehow we were moved to do this because of some overwhelming public initiative that came to us.

It appeared like it was a good idea. One of our commissioners took that as an individual and carried the ball. And I think she discovered out there that there was a

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considerable constituency for the idea.

We were rather pleased by that, because we didn't begin with the notion that somehow there was a great demand out there. This is something that happened after we had our discussions about coinage.

Mr. *Hiler.* Ms. Wolf, would you like to address this?

Ms. *Wolf.* Thank you very much.

Two things. First of all, in response to Mr. Annunzio's earlier question about his poll, I've always heard that it is important to find out where your facts are coming from. So Mr. Annunzio, perhaps you might want to read your newsletter, and find out what facts, why people responded to the facts they did in your poll.

Chairman *Annunzio.* I represent a very intelligent district; that's why they responded. They paid 25 cents postage on each card that was mailed back to me.

So I don't think you have a right to question the ability of the people in my district. They spend good money to send the survey back to the Congress. And I received close to 2,000 responses at 25 cents each.

Ms. *Wolf.* Yes, the point is, Mr. Annunzio, the veracity of the newsletter is to be questioned by many people.

In response to your question, Mr. Hiler, Numismatic News did a poll. 93 percent of the people who responded to the

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poll in early 1987 said they wanted coin redesign. Over 4,000 people responded.

Earlier in the year, Numismatic News did a poll of which 1,000 people responded to the need to have the Statute of Liberty commemorative coin, the most successful commemorative coin program. That is what your Chairman went on, that Numismatic News program, with 1,000 people responding, that made it possible for the Statute of Liberty.

So when 4,000 people responded, 93 percent to zero, saying new coin design change, that would be further indication.

Furthermore, the Treasury received a poll--a petition, excuse me--with over 10- to 12,000 signatures from Coin World in September of last year, stating to the Secretary of Treasury that they, too, would like coin designs changed.

I believe that poll, too, was also received by Mr. Annunzio's subcommittee; a petition with over 10- to 12,000 signatures is a lot.

Thirdly, the Commission has received in excess of about 10,000 letters which I have answered and sent to the Secretary of Treasury and to Mr. Annunzio, asking that coin designs be changed.

So I think that public support is becoming overwhelming. Also, I must point out that the public responding, in a vote of 96 to 0 in the Senate, and with 194 cosponsors in the

House, I think that's a pretty good indication of what the public feels.

Because after all, you all are elected officials representing your constituency.

Mr. *Hiler.* Ms. Pope, you have a fair number of Susan B. Anthonies that you're holding onto. What do you attribute that to? And does the Treasury or the Mint have any views that they would like to share with us this morning on what they think of coin redesign relative to the Susan B. Anthony experience?

Ms. *Pope.* Well, of course the Susan B. Anthony experience has made everybody very, very sensitive to changing coins and coin designs.

The reason of course most given for the public's unacceptance of the Susan B. Anthony coin was its size and its similarity to a quarter, and co-circulating with the dollar note; because the public likes their dollar note, and they want to use their dollar note; and they chose to use that rather than the Susan B.

As I recall, there were some scanty surveys done prior to the Susan B. Anthony. If my staff knows different, I hope they put a hook around my neck here and pull me off. But as I recall the surveys that were taken, they showed that the public didn't want a dollar coin, a Susan B. Anthony, but for some reason or another, it was gone forward with anyway, and

the American public just didn't accept it, even though you can make a case for a dollar coin saving money.

Evidently, that didn't hold water with the public; otherwise they would have used the dollar coin to save money.

Mr. *Hiler.* Just to sum up, and my time has expired, but if I'm reading your statement correctly, for the most part the view was that that particular coin was not endorsed by the public because, number one, similarity to other coins, so it was that type of thing; it was a new coin.

And second, the fact that it was trying to co-exist with the dollar bill.

The Treasury, it is my understanding, you all have been doing some work on the dollar coins again; is that correct?

Ms. *Pope.* Yes, at the request of the Senate. Except that as the Treasury Department's task force got into it, the more questions there are, the more questions there are, the more questions there are. So that just hasn't been completed.

Mr. *Hiler.* Okay, thank you.

Chairman *Annunzio.* We have another panel with five more witnesses, so I want to urge the Members of the committee, we're going to maintain that five-minute rule. The hour is getting late.

Mr. Gonzalez.

Mr. *Gonzalez.* Thank you again, Mr. Chairman.

Well, I would like to say that of course while we dwell

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on the more notorious failure of the Susan B. Anthony, but you also had the two dollar bill; that didn't seem to be too popular.

And actually, there are reasons, I'm sure, in each case. But the failures haven't been restricted to the coin sector. Susan B. Anthony, how many people know or knew who Susan B. Anthony was to begin with?

Maybe if they'd had Marilyn Monroe, there would have been more popularity.

But when we talk about popularity as distinguished from acceptability as a medium, there are so many factors.

Chairman *Annunzio.* If the gentleman will yield.

Mr. *Gonzalez.* Certainly.

Chairman *Annunzio.* The Susan B. Anthony dollar came about because we have a women's caucus in the Congress of the United States. And even the women on the banking committee collared every male member of that committee. The poor guys couldn't say no. And it wasn't voted on the merits.

Mr. *Gonzalez.* Well, that is what happens when you don't have sex equality.

Actually, though, coming to the central issue here before us, which I think is very serious, I think it is a real issue that should be properly considered, change is the law of life.

And I have noticed, and I wanted to pay my debt of

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gratitude to Commissioner Wolf who communicated some of the information attendant to the separate or redesign change, and also pointed out something that I had noticed.

For instance, other countries have been not only very aesthetically correct and progressive, but have been functionally so well designed that they have taken into consideration every member, even the small minority of blind citizens.

And they have designed and coined, for instance in Italy--I think Italy is the outstanding country with respect to coin design--the 500 lire is a beautiful coin. My gosh, I've never seen a more beautiful coin. And yet is has the little Braille dots which a blind person can identify immediately as to its denomination.

So I do believe in change. I do believe in progressive thinking, and I do know that our country, for a long period of time was the leader in coin design and engraving and in the artistry.

So I do--I am sympathetic to a desire for change.

Chairman *Annunzio.* If the gentleman would yield. I appreciate your making the statement about change. We all want change. Change without hysteria.

That's what happened with Susan B. Anthony. They created an atmosphere of hysteria, and that's the reason it passed.

I am trying to avoid that. I'm not questioning anybody'

poll. I don't think anybody has a right to question me, my newsletter, or my poll.

Mr. *Gonzalez.* No, no, I agree.

Chairman *Annunzio.* I took the trouble of conducting a poll.

Mr. *Gonzalez.* No, no, the gentleman knows the high regard and deep respect that I have for him and his leadership. And in no way am I inferring that anybody is obstructing.

I am saying, speaking for myself, one of the impelling reasons, without knowing the ins and outs, that I joined Mr. Rangel's "dear colleague" letter, and then later, the very persuasive presentation by this distinguished Commissioner, confirmed me in my belief that it was a proper issue to consider.

But with no thought in mind or any knowledge, particularly, of anybody else's strong feelings. Nor would I even question the motives; that's the last thing I would do.

My time has expired, but I will leave this thought, for the sake of time. I will submit some questions to the panelists in writing. And there will be sufficient time for you to reply when you get the transcript of the hearings.

But I wanted to thank the witnesses very much, and thank you for having the hearings.

Chairman *Annunzio.* Thank you, Mr. Gonzalez.

Mr. Ridge, any questions?

Mr. *Ridge.* Thank you, Mr. Chairman.

I have several questions. I will try to make them brief, and hopefully, they will be phrased in such a way that the responses can be brief.

I for one don't think we necessarily want to change or redesign coins simply because of their impact on the deficit. So in many respects, I agree with Ms. Pope.

But I would like to know if it is your opinion that seigniorage would certainly exceed the cost, additional cost, of production, would it not?

Ms. *Pope.* That is correct.

Mr. *Ridge.* You also mentioned that the Mint has historically looked--well, you kind of inferred, rather, that the Mint has historically looked for public support when the question of changing the design of the coins has been brought to the Mint's attention.

And I am wondering what, in addition to overwhelming support in the Senate, and broad bipartisan support in the House, the Mint would need in order to assess broad public support for this particular kind of initiative.

Ms. *Pope.* First of all, Mr. Ridge, I will try to be brief, but let me remind everybody that the Treasury's position on this is really a neutral one.

I mean, we are saying we find nothing objectionable in

here, and I do not want to get off on that.

Mr. *Ridge.* I understand.

Ms. *Pope.* But Congressman Annunzio's question was why does not the Secretary of the Treasury just go off and do it by himself. You know, you want some indication from the general public that this will be acceptable.

I did not bring up the parallel to the Susan B. However, there was an instance where it was not accepted by the public.

So, I mean you learn from history, and you had better find out whether it is going to be accepted by the public before you rush into something, and we have had, really, no expression except sponsorship through the Senate and the House, and that is why the Treasury is taking a neutral position and letting the people speak through their elected representatives.

Mr. *Ridge.* Thank you.

Mr. *Annunzio.* Your position really is not neutral. I heard your testimony. You had four, five, six, or a dozen objections.

Ms. *Pope.* Well, minor changes to the--

Mr. *Annunzio.* Your testimony is a part of the record. You testified to that. I have got a copy of your statement here. I do not want to get into too many details, but there are several objections. You have been reciting them all

morning here.

Mr. *Gonzalez.* Mr. Chairman, I ask unanimous consent that the gentleman, if he yields to me, will not be docked for his time, but a very important issue has come up, that I think is very critical to, at least to this member's understanding.

Mr. *Ridge.* I will be happy to yield.

Mr. *Annunzio.* He yields.

Mr. *Gonzalez.* The gentleman just raised the issue that if the Secretary, on his own authority wished, he could pursue the question of new coinage. Then you do not really need legislation, is--

Mr. *Annunzio.* That is what I have been saying.

Mr. *Gonzalez.* There is no need for legislative authority per se.

Mr. *Annunzio.* They already have the authority. It is a statutory. Congress passed it. The Congress gave the Secretary of the Treasury that authority.

Mr. *Gonzalez.* Well, I do not know why I have missed that, but anyway, thank you.

Mr. *Ridge.* Thank you. Mr. Porterfield, understanding the Treasury's cautious approach due to the experience with the Susan B. Anthony coin, would you care to distinguish the legislation and what you are trying to do with the legislation, or what would be accomplished from that experience.

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Could we anticipate the same thing happening again?

Mr. *Porterfield.* Well, again, I speak as an amateur, but there are certain parallels there, but there are certain things that are distinctly different in these two cases. The public had a choice of continuing to carry the one-dollar note, and evidently decided it did not like carrying a dollar coin in their pocket.

I am not even so sure that the public was making any judgment about the aesthetics of the coin itself. It has already been mentioned, its confusion with other coins.

The change in design of the existing circulating coins is not really something that the public is going to have--if it is decided, and it is done, they are not really going to have a choice. It is going to be the coin of usage.

Therefore, it is almost predetermined by passing the legislation, that it will be successful to a certain extent. How far the success goes beyond the normal usage is anyone's guess, and I would not want to guess there.

So, I think that the parallel is a very weak parallel.

Mr. *Ridge.* Ms. Wolf, would you care to comment.

Ms. *Wolf.* Yes. I would.

Really, the Susan B. Anthony has no relevance to this bill whatsoever. This bill calls for changing the reverse side only of the cent, 5-cent piece, dime, quarter, and half dollar.

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The size, the shape, the weight, the metallic content, all inscriptions including "In God We Trust," and the Presidents, would remain on the coins.

So we are not introducing a new size, shape, weight, color, metallic content of a coin. We are just changing the reverses, as was done in 1976, very, very, very successfully with the reverses of the quarter, half dollar, dollar, for the Bicentennial of the American Revolution.

During that period, four times as many dollars, three times as many half dollars, and twice as many quarters were introduced into the country, because the Mint knew that people would be taking these coins and keeping them as souvenirs.

That added to the seignorage, that added to the interest savings on seignorage, and that added to the numismatic sales of the Mint, and the revenue produced.

So, again, we are not changing anything.

Mr. *Ridge.* I appreciate you also clarifying the point with regard to the retention of the design, including the Presidents and the motto, "In God We Trust."

I thank you, and my time has expired.

Mr. *Annunzio.* Ms. Pelosi. Five minutes.

Ms. *Pelosi.* Thank you, Mr. Chairman. I am going to try to use my five minutes to clarify some things in my own mind.

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First of all, Mr. Porterfield, what is the charge of the commission?

Mr. *Porterfield.* Well, among other things is to advise the--in this particular case, it is to advise the Secretary of the Treasury on the design of new coins and medals.

Ms. *Pelosi.* You said you do not initiate; you respond to proposals. Is that a fair characterization of what you said earlier?

Mr. *Porterfield.* Yes. Right.

Ms. *Pelosi.* So what proposal were you responding to that generated this legislation?

Mr. *Porterfield.* We are here testifying in response to a bill that has been proposed by both the Congress and--

Ms. *Pelosi.* Yes, but the bill was generated from your commission, is that not correct?

Mr. *Porterfield.* No; it was not.

Ms. *Pelosi.* Where did the bill come from?

Mr. *Porterfield.* One of our members of the commission, after a discussion of the design--we were looking at some other things, and we got onto the subject of coin design, and we got quite enthusiastic about the possibilities there.

At one of our commission meetings, Commissioner Wolf proposed a resolution where we were recommending that new designs be considered.

And that is simply on the record of our meeting.

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Ms. *Pelosi.* So nonetheless, the legislation sprang from a resolution in the Fine Arts Commission?

Mr. *Porterfield.* Pardon me? I am not quite sure I--

Ms. *Pelosi.* The idea for the legislation was generated by a resolution in the Fine Arts Commission?

Mr. *Porterfield.* I think that certainly had something to do with it. I would imagine that there were other proponents of legislation for designing coinage. We were one party to that.

Ms. *Pelosi.* You were one party, and some of the other parties were?

Mr. *Porterfield.* Well, I would imagine that the coin people were fairly influential. In fact probably far more influential in numbers, certainly.

Our charge in general is to deal with aesthetics of Washington, D.C., and included in that is coinage and medals. So it is an appropriate subject for us to discuss. But it is not for us to make those changes. We will respond to any proposals that come to us.

But we are not the initiators of the legislation.

Ms. *Pelosi.* You are not. Okay. I guess I was hearing two things. I thought that this all sprang from a resolution of the Fine Arts Commission, and that we--

Mr. *Porterfield.* We do have in our charge to make recommendations to the Congress.

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Ms. *Pelosi.* Thank you, Mr. Porterfield.

Now it seems to me that what we are hearing also, Mr. Chairman, is that at certain periods of history--from the wonderful display of expertise we had from our colleague from Louisiana, Congressman Hayes--that at certain periods of history there is some motivation to change the currency if it coincides with the need to change the currency, to coincide with, say, the Bicentennial, or the 500th anniversary of the discovery of America. Change the currency.

I am not talking about commemorative coins now. Change the currency. So from what also that I am hearing today, the Secretary of the Treasury has the discretion to change the currency should the Mint, or whoever else make those determinations, in keeping with these historic events which are not going to be--I cannot see anything on the horizon that will match our 500th anniversary, at least for another 100 years.

So now, would this legislation be a recommendation to the Secretary of the Treasury? This would mandate that, at a minimum, that the currency would be changed for the Bicentennial and perhaps the 500th anniversary, on the reverse side of the coin?

See, I agree that the Susan B. Anthony maybe is not--it is relevant in that it was a mistake and we have to avoid mistakes, but not relevant in that, in light of Mr. Hayes's

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testimony, this may be the time, if there is a need to do so, that we do so.

I guess my time is up. Thank you, Mr. Chairman.

Mr. *Annunzio.* We have one more panel and the staff director has one question, and I would appreciate a short answer.

Mr. *Prins.* Mr. Porterfield, we have been told this morning by a number of supports of the legislation, that there is no intention to take the words "In God We Trust" off of the coins.

And I believe that on the face of the thing. The legislation also calls for the Fine Arts Commission to review the design and make suggestions.

Now has there been a time, recently, where the Fine Arts Commission has decided to take the words "In God We Trust" off of a design for either a coin or a medal that has been submitted to it?

Mr. *Porterfield.* No, there has not.

Mr. *Prins.* There has not?

Mr. *Porterfield.* No. Not to my recollection.

Mr. *Prins.* Well, were you at the meeting of the commission on the 21st of April?

Mr. *Porterfield.* Pardon me?

Mr. *Prins.* Were you at the meeting of the commission on the 21st of April?

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Mr. *Porterfield.* I could not tell you for sure right now.

Mr. *Prins.* Well, let's find out. Do you get paid by the meeting, sir?

Mr. *Porterfield.* No. I do not get paid.

Mr. *Prins.* Okay.

Mr. *Porterfield.* I do not get paid anything.

Mr. *Prins.* You are the vice chairman, are you not?

Mr. *Porterfield.* That is correct.

Mr. *Prins.* Well, according to the record that I have, you were present at that meeting.

Mr. *Porterfield.* Okay.

Mr. *Prins.* And at that meeting, the design for the Young Astronaut medal was brought up.

Mr. *Porterfield.* Oh, you are talking about medals, not coins?

Mr. *Prins.* I said medals or coins.

Mr. *Porterfield.* Okay.

Mr. *Prins.* Well would you like to rephrase your answer, then, in light of that?

Mr. *Porterfield.* No. I am listening, sir.

Mr. *Prins.* Okay. At that meeting there was a discussion of the design of the Young Astronaut coin. Do you recall that, sir?

Mr. *Porterfield.* Yes.

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Mr. *Prins.* And you still do not recall any mention of taking "In God We Trust" off of it?

Mr. *Porterfield.* Well, now, I go to twelve of these meetings each year. These meetings last sometimes the whole day. We talk about many, many things. We talk about design of coins.

We have never had a discussion about any religious implications on a coin. I can tell you that. If we had any discussion about taking something or adding it, it had to do with the design of the coin and not what it says, and I will leave it at that.

Mr. *Prins.* Let me ask Ms. Wolf then if she ever made a recommendation during the commission that the words "In God We Trust" should be taken off the young astronaut medal

Ms. *Wolf.* Mr. Prins, I am so delighted you are giving me the time to respond to this question because on many times I have tried to get in touch with Mr. Annunzio by certified mail, by telephone calls, by all those things--

Mr. *Prins.* Well, we appreciate that. I just asked you the questions.

Ms. *Wolf.* --to respond to Mr. Annunzio's very unfair and totally irrational letter, dear colleague letter, in which it says, in which it says--

Mr. *Prins.* Ms. Wolf, we are not here to hear you berate the chairman of this subcommittee.

Now, I have asked you a question as to whether you--

Chairman *Annunzio.* I hold you directly responsible for any of the conditions and misunderstandings that are taking place. You knew when the resolution passed the Fine Arts Commission. Never once--I didn't know you, I never met you, I didn't see you in the last eight months.

Ms. *Wolf.* Mr. Annunzio, I tried to reach you several times.

In answer to your question, Mr. Prins--

Chairman *Annunzio.* After you got yourself into trouble and you tried to use me to get out of trouble. And I refuse to have--it was already too late.

Ms. *Wolf.* Mr. Annunzio--Mr. Prins, in answer to your question, as you well know, and the testimony which you have in your hands, the Commission of Fine Arts was discussing a medal. As you well know, and as was stated in that testimony, on the previous pages to my remark, that the commission asked the expert counsel if "In God We Trust" had to remain on medals.

And you should well know this, Mr. Prins, that under no circumstances in the United States must "In God We Trust," or any other motto be on a medal.

The medals that were brought to us, the designs that were bnrought to us, we submitted by over 30,000 school children. They were submitted on 8-1/2 by 11-inch pieces of

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paper.

The coin that we discussed, Mr. Prins, is approximately the size of five-eighths of an inch in diameter. That coin-

Mr. *Prins.* Ms. Wolf, I hate to interrupt you again. I mean we're running out of time.

I have asked you a simple question. Did you recommend that--

Ms. *Wolf.* No, I did not, Mr. Prins.

Mr. *Prins.* You never did?

Ms. *Wolf.* No, I certainly did not, Mr. Prins.

Mr. *Prins.* And the commission never discussed the words "In God We Trust," and you never raised them?

Mr. *Gonzalez.* Mr. Chairman, I must object to this line of questioning by staff. It's adversarial in nature. I think it tends to abuse the courtesy that we owe witnesses who voluntarily appear upon our invitation. And I must strenuously object.

Chairman *Annunzio.* Well, if Mr. Porterfield had answered the question, that's the end of it.

Mr. *Porterfield.* Have I answered the question to your satisfaction?

Chairman *Annunzio.* Yes or no?

Mr. *Porterfield.* I have never in my memory, the commission has never specifically recommended removing "In God We Trust" from anything.

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Chairman *Annunzio.* Thank you very much.

Mr. *Gonzalez.* Mr. Chairman, I must rise on a matter of personal privilege.

You know, I'm getting sick and tired. We went through this charade last week in the House with the Speaker getting up ignominiously and talking about how we will start a session by reciting the Pledge to the United States.

These are all the trappings of an undemocratic society, one that lives in fear of something; one in which one citizen is trying to attack the patriotism or the religiosity of some other citizen, and I really don't think this has a point at any place here.

What difference does it make what the commission discussed with respect to some external event having to do not with coins but with a medal? I mean I just really must object, Mr. Chairman.

Chairman *Annunzio.* I wholeheartedly agree with you. You know that.

I want to thank the members of the panels this morning for your presentation.

We have five others. Mr. Leuver, Ms. Mazze, Mr. Harper, Ms. Verani and Jon Murray, will you take your seats at the panel?

The time is getting late. I am going to have each member of the panel submit your statement and, without

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objections, your entire statements will be printed in the record. You can summarize by taking five minutes.

The first witness will be Mr. Robert J. Leuver, Executive Director, the American Numismatic Association, Colorado Springs, Colorado.

Mr. Leuver, five minutes.

Public Law 99-572
99th Congress

EXHIBIT B

An Act

Oct. 28, 1986
[H.R. 2205]

To authorize the erection of a memorial on Federal land in the District of Columbia and its environs to honor members of the Armed Forces of the United States who served in the Korean war. .

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

AUTHORIZATION OF MEMORIAL

40 USC 1003 note.

SECTION 1. The American Battle Monuments Commission is authorized to establish a memorial on Federal land in the District of Columbia and its environs to honor members of the Armed Forces of the United States who served in the Korean war, particularly those who were killed in action, are still listed as missing in action, or were held as prisoners of war. Such memorial shall be established in accordance with the provisions of H.R. 4378, as approved by the House of Representatives on September 29, 1986.

ESTABLISHMENT OF KOREAN WAR VETERANS MEMORIAL ADVISORY BOARD

40 USC 1003 note.

SEC. 2. (a) There is hereby established a Korean War Veterans Memorial Advisory Board which shall consist of twelve veterans who served in the Korean war. The members of the Board shall be appointed by the President within one hundred and twenty calendar days of enactment of this Act.

(b) The Korean War Veterans Memorial Advisory Board shall be responsible for:

(1) recommending the site and selecting the design for the memorial, subject to the approval of the American Battle Monuments Commission and in accordance with section 7(a) of H.R. 4378, as approved by the House of Representatives on September 29, 1986; and

(2) promoting the establishment of the memorial and encouraging the donation of private funds for the construction and maintenance of the memorial.

FEDERAL AUTHORIZATION AND PRIVATE FUNDING

40 USC 1003 note.

SEC. 3. (a) The American Battle Monuments Commission shall establish the memorial with private funds except as provided in subsection (b) of this section. For the purpose of carrying out this Act, the American Battle Monuments Commission is authorized to solicit and accept private contributions. The Commission is directed to establish an account into which these private funds shall be deposited and to maintain documentation of such contributions.

Appropriation authorization.

(b) There are hereby authorized to be appropriated:

(1) $500,000 for site preparation, design, planning, and associated administrative costs for the establishment of the memorial; and

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(2) $500,000 for construction of the memorial, to be available only after a construction permit has been issued for the memorial.

(c) Private funds donated in excess of the cost of construction and maintenance of the memorial shall be deposited in the Treasury as miscellaneous receipts to reimburse the United States for funds appropriated pursuant to subsection (b) of this section.

Approved October 28, 1986.

LEGISLATIVE HISTORY—H.R. 2205:

HOUSE REPORTS: No. 99-341 (Comm. on House Administration).
SENATE REPORTS: No. 99-459 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 131 (1985): Nov. 4, 6, considered and passed House.
Vol. 132 (1986): Oct. 9, considered and passed Senate, amended.
Oct. 14, House concurred in Senate amendment.

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EXHIBIT C

CONFIRMATION OF GEORGETOWN ACTIONS RECOMMENDED TO COMMISSION BY MEMBERS PRESENT FOR 16 SEPTEMBER 1988 MEETING WHICH LACKED A QUORUM

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-190 thru 193	26th and O Streets, N. W. Jeffrey Bush Beall Court/residential	Renovation of and addition to existing apartment complex - conceptual

ACTION: Recommend against concept of addition of third floor to these vernacular 1920s apartment buildings which contribute to the general streetscape and are in an unaltered original state. Addition would detract from the character of the original buildings and change the skyline, or silhouette, of this visible edge of the historic district.

O.G. 88-223	3015 M Street, N.W. Mehdi Falsafi Mixed-use	Demolition and construction at rear of historic structure - permit

ACTION: Recommend against issuance of permit for proposed demolition of alley dwelling and rear portion of historic building, as well as construction of a three story replacement structure. Commission has gone on record opposing a similar proposal at this location in 1985 (See O.G. 85-201 and letter to Carol Thompson dated 9 August 1985). Strongly recommend retention and renovation of existing structure(s) and planting of new trees to replace those removed since that earlier review.

O.G. 88-206	3400 K Street, N.W. Clyde's restaurant	New floating restaurant - preliminary

ACTION: No objection to preliminary design as shown in drawings received and dated 17 August 1988. Applicant will submit working drawings and material samples for Commission review when ready.

NO.	ADDRESS AND OWNER	PROJECT
O.G. 88-149	3100 Dumbarton Street, N.W. Kassoff, Hellyer, Ltd. Residential	Curb-cut, garage and swimming pool - permit

ACTION: Recommend against issuance of permit for proposed new garage structure which, together with the construction of a swimming pool, will permanently alter the nature of this historic property. Although the proposed swimming pool will not be visible from public space, the Commission objects to the permanent removal of the existing tree areas within the garden, a serious change in character which cannot be satisfactorily remedied by movable planters.

MEETING:

27 October 1988